

**THURSDAY, JANUARY 26, 2012**  
**FORTY-SEVENTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Anthony Daley, The Tabernacle Church, Indian Mound, TN.

Representative Wirgau led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 98

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative L. DeBerry; business

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 600** Rep(s). Ragan and Alexander as prime sponsor(s).

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Representative Naifeh, accompanied by Representatives Dean, Shepard and Stewart, were recognized in the Well to introduce Dr. Richard Gilbertson for remarks.

**RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 600 out of order, which motion prevailed.

**House Joint Resolution No. 600** -- Naming and Designating - "St. Jude Children's Research Month," February 2012. by \*Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, with the request that all members voting aye be added as co-prime sponsors, the resolution was adopted, with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan, by the following vote:

Ayes .....	98
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 599** -- Memorials, Congress - Urges Congress to enact H.R. 3676 and ensure that citizens of the United States cannot be held against their will without all of the Due Process rights guaranteed by the United States Constitution. by \*Faison.

House State and Local Government Committee

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**\*House Joint Resolution No. 602** -- General Assembly, Statement of Intent or Position - Expresses need to expand postsecondary credit-earning opportunities for high school students and urges state education agencies to provide assistance to any organizations conducting a statewide study of the issue. by \*Brooks H, \*McCormick, \*Eldridge, \*Forgety, \*Brooks K, \*Turner M, \*Ford.

House Education Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 30, 2012:

**House Resolution No. 164** -- Memorials, Sports - Christian Academy of Knoxville, 2011 State Champions, Girls Soccer. by \*Matlock, \*Hall, \*Haynes.

**House Resolution No. 165** -- Memorials, Sports - Christian Academy of Knoxville football team, 2011 Class 3A, TSSAA Champion. by \* Matlock, \*Hall, \*Haynes..

**House Joint Resolution No. 605** -- Memorials, Recognition - Michael Payne, Jr. by \*Matlock, \*Hurley.

**House Joint Resolution No. 608** -- Memorials, Recognition - J.R. Moon Pencil Company. by \*Bass.

**House Joint Resolution No. 610** -- Memorials, Recognition - Society of Universal Dialogue and the Turkish-American community of Tennessee. by \*Armstrong, \*Brooks H, \*Tindell, \*Odom, \*Haynes, \*Evans, \*Casada, \*Dunn.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for January 30, 2012:

**Senate Joint Resolution No. 516** -- Memorials, Retirement - Captain Terry Webb. by \*Southerland.

**Senate Joint Resolution No. 517** -- Memorials, Retirement - Detective John Huffine. by \*Southerland.

**Senate Joint Resolution No. 518** -- Memorials, Sports - Greeneville High School boys' cross country team, TSSAA Class A/AA state champion. by \*Southerland.

**Senate Joint Resolution No. 519** -- Memorials, Sports - Greeneville High School girls' cross country team, TSSAA Class A/AA state runners-up. by \*Southerland.

## INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3082** -- Animal Cruelty and Abuse - As introduced, creates Class E felony of aggravated cruelty to livestock, which is intentionally engaging in specified conduct in a depraved and sadistic manner that results in serious bodily injury or death to the animal and is done without lawful or legitimate purpose. - Amends TCA Title 39, Chapter 14, Part 2. by \*Odom.

**\*House Bill No. 3083** -- State Employees - As introduced, specifies that whenever practicable an exit interview shall be conducted with dismissed state employees; authorizes governor to offer buyouts to state employees in lieu of reductions in force. - Amends TCA Title 8, Chapter 30. by \*Hill.

**\*House Bill No. 3084** -- Civil Service - As introduced, authorizes removal for cause a member of the civil service commission who misses three consecutive meetings without an excuse. - Amends TCA Title 8, Chapter 30, Part 1. by \*Hill.

**\*House Bill No. 3085** -- Civil Service - As introduced, requires rules promulgated by commissioner of human resources that affect state employees to comply with the UAPA. - Amends TCA Title 8, Chapter 30, Part 2. by \*Hill.

**\*House Bill No. 3086** -- State Employees - As introduced, requires the commissioner of human resources to provide a report to the governor regarding any reduction in force of state employees implemented. - Amends TCA Title 8, Chapter 30, Part 4. by \*Hill.

**\*House Bill No. 3087** -- State Employees - As introduced, removes requirement that age and sex be considered in qualifications for admissions for tests for promotion. - Amends TCA Title 8, Chapter 30, Part 3. by \*Hill.

**House Bill No. 3088** -- Sunset Laws - As introduced, repeals the cemetery advisory board. - Amends TCA Title 4, Chapter 29 and Title 46, Chapter 1, Part 3. by \*Cobb, \*Shipley.

**House Bill No. 3089** -- Sunset Laws - As introduced, creates sunrise provision for the interstate nurse licensure compact, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 3. by \*Cobb, \*Shipley.

**\*House Bill No. 3090** -- Taxes, Real Property - As introduced, increases time in which petition challenging determination of capitalization rate, income estimates or land values must be filed with state board of equalization from 20 to 30 days prior to publication of notice of the availability of the proposed use value schedule in a newspaper of general circulation within the county. - Amends TCA Title 66, Chapter 9, Part 3 and Title 67, Chapter 5, Part 10. by \*Sargent.

**House Bill No. 3091** -- Banks and Financial Institutions - As introduced, expands the definition of a domestic holding company, for purposes of organizing, owning or controlling as a credit card state bank, from a company meeting certain requirements to a company under common control with another company that meets said requirements; extends the effective date of such expanded definition from July 1, 2012, to July 1, 2014. - Amends TCA Title 45, Chapter 2, Part 19. by \*Sargent.

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**\*House Bill No. 3092** -- Pensions and Retirement Benefits - As introduced, authorizes a person who has at least 13 years creditable service in the TCRS and seven years creditable service in the optional retirement plan for employment at Tennessee Tech University during a specific period of time to have the option of transferring membership from the optional retirement program to the TCRS. - Amends TCA Title 8, Chapter 35, Part 4. by \*Windle.

**\*House Bill No. 3093** -- Naming and Designating - As introduced, names field house at York Institute in honor of Charles Joseph Vaughn. by \*Windle.

**\*House Bill No. 3094** -- Utilities, Utility Districts - As introduced, authorizes municipal electric system or other governmental utility system to enter into an employment contract for a term not to exceed five years with the superintendent, general manager or chief executive officer of the electric plant. - Amends TCA Title 7, Chapter 52. by \*Ramsey, \*Shepard.

**\*House Bill No. 3095** -- Taxes, Exemption and Credits - As introduced, exempts dividends from privately owned businesses from the Hall Income Tax. - Amends TCA Title 67, Chapter 2. by \*Carr.

**\*House Bill No. 3096** -- Taxes, Exemption and Credits - As introduced, exempts sole proprietorships from the Hall income tax. - Amends TCA Title 67, Chapter 2, Part 1. by \*Carr.

**\*House Bill No. 3097** -- Criminal Offenses - As introduced, revises certain criminal provisions to include certain disruptive and illegal conduct involving unions and employee organizations. - Amends TCA Title 39, Chapter 12; Title 39, Chapter 14; Title 39, Chapter 16 and Title 39, Chapter 17. by \*Carr.

**House Bill No. 3098** -- Teachers, Principals and School Personnel - As introduced, establishes new route to licensure to teach in grades 9-12 for persons who have taught in certain postsecondary institutions. - Amends TCA Title 49, Chapter 5. by \*Hensley.

**House Bill No. 3099** -- Welfare - As introduced, requires suspicion-based urine drug tests of TANF applicants and recipients. - Amends TCA Title 4; Title 50 and Title 71. by \*Hensley.

**House Bill No. 3100** -- Taxes, Franchise - As introduced, establishes credit against franchise and excise tax liabilities for taxpayers who incur unreimbursed costs related to an employee's organ donation procedure. - Amends TCA Title 67, Chapter 4. by \*Hensley.

**\*House Bill No. 3101** -- Libraries - As introduced, adds Cocke, Hawkins, Hamblen and Hancock counties to the Watauga regional library and changes region's name to the Holston River regional library. - Amends TCA Section 10-1-112. by \*Faison.

**\*House Bill No. 3102** -- Taxes, Hotel Motel - As introduced, authorizes the city of Newport to impose a tax on the privilege of occupancy. - Amends TCA Title 7, Chapter 4 and Title 67, Chapter 4, Part 14. by \*Faison.

**House Bill No. 3103** -- Tort Liability and Reform - As introduced, provides that the department may only suspend or revoke license or impose civil penalty on an entity providing mental health and developmental disability services or alcohol treatment for breaches of duty of care and not based upon vicarious liability. - Amends TCA Title 33, Chapter 2. by \*Faison.

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**House Bill No. 3104** -- Game and Fish Laws - As introduced, provides that a wildlife officer who issues a citation for a violation of the wildlife laws is to set the time and date of the person's court appearance in a random manner without regard to what judge or judges are sitting. - Amends TCA Section 70-1-310 and Section 70-4-415. by \*Faison, \*Eldridge, \*Casada, \*Butt, \*Powers.

**House Bill No. 3105** -- Planning, Public - As introduced, prohibits local or regional planning commission from prohibiting private road maintenance agreements in residential developments. - Amends TCA Title 13. by \*Faison.

**House Bill No. 3106** -- Teachers, Principals and School Personnel - As introduced, states that teachers of non-academic subjects that are not measured by TVAAS data shall not be evaluated based on such data; allows each LEA to create an annual evaluation system for such teachers. - Amends TCA Title 49. by \*Faison.

**House Bill No. 3107** -- Taxes, Exemption and Credits - As introduced, increases computer exemption during recurring August sales tax holiday from \$1,500 to \$1,750; deletes obsolete language for spring sales tax holiday. - Amends TCA Title 4; Title 8; Title 9; Title 12; Title 55; Title 57 and Title 67. by \*Naifeh.

**House Bill No. 3108** -- Education - As introduced, authorizes designees of the comptroller of the treasury, the secretary of state and the state treasurer to serve on THEC. - Amends TCA Title 49. by \*Naifeh.

**\*House Bill No. 3109** -- Teachers, Principals and School Personnel - As introduced, replaces obsolete language concerning tenure with current terminology. - Amends TCA Title 49. by \*Swann.

**\*House Bill No. 3110** -- Immigration - As introduced, clarifies that a tax form, as such term is used in the part, means any form issued by the United States internal revenue service. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 12; Title 39; Title 40 and Title 50. by \*Campbell.

**\*House Bill No. 3111** -- Conservation - As introduced, decreases time county conservation board must organize from 30 days after appointment to 20 days after appointment; allows board to send report of transactions and operations to commissioner electronically. - Amends TCA Title 11 and Title 67. by \*Campbell.

**House Bill No. 3112** -- Insurance Companies, Agents, Brokers, Policies - As introduced, exempts certain insurers of commercial risk insurance from filing with the commissioner of commerce and insurance all rates, supplementary rate information, policy forms and endorsements; requires such insurers to place a written disclaimer of such exemption in the policy or application. - Amends TCA Title 56, Chapter 5. by \*Curtiss.

**House Bill No. 3113** -- Insurance Companies, Agents, Brokers, Policies - As introduced, authorizes an insurer to make, offer, or permit a preference or distinction in certain insurance policies based on membership in certain groups that are actuarially justified and not excessive, inadequate or unfairly discriminatory; authorizes the commissioner of commerce and insurance to examine such insurers for compliance. - Amends TCA Section 56-5-315 and Title 56, Chapter 8. by \*Curtiss.

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**House Bill No. 3114** -- Lottery, Scholarships and Programs - As introduced, establishes means by which students with documented disabilities who do not meet high school academic qualifications for a HOPE scholarship can attend college, meet college academic requirements and receive the scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by \*Ramsey.

**House Bill No. 3115** -- Mental Illness - As introduced, authorizes a court to order assisted outpatient treatment as an alternative to inpatient treatment for a person with mental illness. - Amends TCA Title 33. by \*Ramsey.

**\*House Bill No. 3116** -- Taxes, Sales - As introduced, exempts the retail sale of the service of bathing animals from the sales tax imposed on laundering or dry cleaning of tangible personal property. - Amends TCA Title 67. by \*Sexton.

**\*House Bill No. 3117** -- Election Laws - As introduced, redefines an infamous crime for purposes of retaining the right of suffrage; authorizes incarcerated felons to vote except persons convicted of voter fraud, treason, first degree murder, or aggravated rape. - Amends TCA Title 40, Chapter 20, Part 1 and Title 40, Chapter 29. by \*Brown.

**\*House Bill No. 3118** -- Tennessee Housing Development Agency - As introduced, clarifies that THDA annual report of its activities for the preceding year to the governor, comptroller of the treasury, and the general assembly is mandatory. - Amends TCA Title 13, Chapter 23. by \*Brown.

**House Bill No. 3119** -- Alcoholic Beverages - As introduced, reduces from four to three the number of cabins that Buffalo River Resort must have in order to qualify as a premier type tourist resort for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102. by \*Tindell.

**\*House Bill No. 3120** -- State Employees - As introduced, provides that the disciplinary counsel for the court of the judiciary is a state employee for purposes of defense by the attorney general when a civil action is commenced for an act or omission performed during the course of duties for the court of judiciary. - Amends TCA Section 8-42-103. by \*Dennis.

**House Bill No. 3121** -- Statutes of Limitations and Repose - As introduced, creates an October 1, 2014, statute of repose for personal injury and death actions that accrued prior to the effective date of the Tennessee Civil Justice Act of 2011. - Amends TCA Title 28. by \*Dennis.

**\*House Bill No. 3122** -- Civil Procedure - As introduced, specifies the circumstances under which a pre-trial settlement offer may be made in a civil action; specifies the manner and circumstances under which costs or the monetary value of disputed property may be determined by a court in the event a settlement offer is made and rejected. - Amends TCA Title 20. by \*Dennis.

**\*House Bill No. 3123** -- Interest Rates - As introduced, changes the interest on judgments from 10 percent to a rate equal to the federal reserve weekly prime loan rate published by the commissioner of financial institutions for the calendar week preceding the judgment. - Amends TCA Title 47. by \*Dennis.

**House Bill No. 3124** -- Civil Procedure - As introduced, removes judicial discretion to apportion costs and permits recovery of certain litigation costs by the successful party on motions to dismiss. - Amends TCA Title 20; Title 25; Title 27 and Title 29. by \*Dennis.

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**House Bill No. 3125** -- Remedies and Special Proceedings - As introduced, authorizes the award of punitive damages in a civil action against a defendant based on vicarious liability under certain circumstances. - Amends TCA Title 29. by \*Dennis.

**\*House Bill No. 3126** -- Highways, Roads and Bridges - As introduced, provides that the chief administrative officer of the highway department in Decatur County must have a high school diploma or equivalent and four years of experience in the use of construction equipment used for highway construction or maintenance. - Amends TCA Title 54, Chapter 7, Part 1. by \*Dennis.

**House Bill No. 3127** -- Malpractice - As introduced, provides that in a health care liability action, a medical expert is limited to testimony concerning the standard of acceptable professional practice in the local community and testimony of the regional or national standard and why it is applicable is inadmissible. - Amends TCA Section 29-26-115. by \*Dennis.

**\*House Bill No. 3128** -- Pensions and Retirement Benefits - As introduced, includes years of service to a political subdivision participating in the consolidated retirement system for which credit was established in the calculation of years of service for premium payment in retiree group insurance plan. - Amends TCA Title 8, Chapter 27. by \*Haynes.

**\*House Bill No. 3129** -- Criminal Offenses - As introduced, corrects the chemical compound, Benzoylindoles, found in illegal drugs such as hallucinogenic plants, from "Pravadoline (WIN 48, 09)" to "Pravadoline (WIN 48, 098)". - Amends TCA Title 39, Chapter 17. by \*Parkinson.

**\*House Bill No. 3130** -- Special License Plates - As introduced, authorizes issuance of a TN Cave Salamander new specialty license plate; provides that the sale proceeds shall be deposited into the wildlife resources fund. - Amends TCA Title 55, Chapter 4. by \*Johnson P.

**House Bill No. 3131** -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the Labrador Retriever Foundation new specialty earmarked plate by an additional year. - Amends TCA Section 55-4-353. by \*Johnson P.

**\*House Bill No. 3132** -- Public Utilities - As introduced, changes from February to March the month in which an annual report must be filed by the Tennessee Regulatory Authority concerning all matters relating to its office. - Amends TCA Title 65. by \*Johnson P.

**\*House Bill No. 3133** -- Highways, Roads and Bridges - As introduced, requires the chief administrative officer to file an inventory of all equipment and materials concerning road construction with the county governing body within 75 days after taking office instead of 60 days. - Amends TCA Title 54. by \*Johnson P.

**House Bill No. 3134** -- Special License Plates - As introduced, authorizes Tennessee Breast Cancer Coalition new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to the Tennessee Breast Cancer Coalition to support organization's mission. - Amends TCA Title 55, Chapter 4. by \*Johnson P.

**House Bill No. 3135** -- Motor Vehicles - As introduced, clarifies that certain trailers and semitrailers used in transporting rolled hay bales, rather than rolled alfalfa bales, are exempt from maximum width and height requirements for motor and other vehicles. - Amends TCA Section 55-7-202. by \*Johnson P.



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**House Bill No. 3136** -- Motor Vehicles - As introduced, requires law enforcement to notify, within 30 days of impoundment, the owner and lienholders having an interest in a methamphetamine vehicle. - Amends TCA Title 55, Chapter 3, Part 2. by \*Johnson P.

**\*House Bill No. 3137** -- Transportation, Dept. of - As introduced, allows 40 days, instead of 30, to correct an unlawful sign. - Amends TCA Title 54, Chapter 21. by \*Johnson P.

**\*House Bill No. 3138** -- Insurance Companies, Agents, Brokers, Policies - As introduced, requires any contract, plan, or policy of insurance issued or renewed on or after July 1, 2012, that provides coverage for surgical first assisting benefits or services be construed as providing coverage for a registered nurse first assistant. - Amends TCA Title 56 and Title 63. by \*Sexton.

**House Bill No. 3139** -- Election Laws - As introduced, requires voters in a primary election to acknowledge the political party primary in which they choose to vote most closely represents their views. - Amends TCA Title 2, Chapter 5. by \*Hill.

**House Bill No. 3140** -- Election Laws - As introduced, requires a person to declare a statewide political party affiliation before voting in a primary election. - Amends TCA Title 2. by \*Hill.

**House Bill No. 3141** -- Public Officials - As introduced, provides that a public official receives an unauthorized benefit for purposes of the criminal offense of official misconduct if the official purchases real property knowing that the property may later be purchased by a governmental entity. - Amends TCA Section 39-16-402. by \*Gotto, \*Watson.

**House Bill No. 3142** -- Taxes, Sales - As introduced, authorizes metropolitan governments to levy an additional local sales tax, not to exceed statutory maximum, on retail sales within a downtown development district, if all funds derived from the tax increase are used to promote business activity or to provide improved government services in the district. - Amends TCA Title 7; Title 13; Title 57 and Title 67. by \*Pruitt.

**House Bill No. 3143** -- Professions and Occupations - As introduced, adds a reference for certification of locksmiths to the most recent and recognized version of the American Locksmith of America Certification. - Amends TCA Title 62, Chapter 11, Part 1. by \*Todd.

**\*House Bill No. 3144** -- Pensions and Retirement Benefits - As introduced, changes the eligible creditable retirement date to 25 years of service instead of 30 years for dispatchers of emergency communications districts of political subdivisions that have set a mandatory retirement age for police officers and firefighters. - Amends TCA Title 7, Chapter 86 and Title 8, Chapter 36, Part 2. by \*Windle.

**House Bill No. 3145** -- Taxes, Gasoline, Petroleum Products - As introduced, prohibits certain counties whose chief administrative officers of highway departments are exempt from state qualifications for holding such office from being eligible to receive state-shared fuel taxes or grant funds from the department of transportation. - Amends TCA Title 4, Chapter 3; Title 54, Chapter 7, Part 1 and Title 67. by \*Harmon.

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**\*House Bill No. 3146** -- Police - As introduced, adds to definition of "police officer" for purposes of traffic control or regulation only a person who retired in good standing from being a commissioned, POST-certified law enforcement officer and who has notified the chief law enforcement officer. - Amends TCA Title 55 and Title 62. by \*Moore.

**\*House Bill No. 3147** -- Employees, Employers - As introduced, requires the department of human services to seek a waiver from the U.S. Department of Agriculture for cardholders' photos to be placed on EBT cards issued pursuant to the food stamp program and to submit implementation and cost information to the general assembly. - Amends TCA Title 71, Chapter 5, Part 3. by \*Pody.

**\*House Bill No. 3148** -- State Symbols - As introduced, adds Echinacea Tennesseeensis as a state wild flower, along with the passion flower. - Amends TCA Section 4-1-306. by \*Williams R.

**House Bill No. 3149** -- Hospitals and Health Care Facilities - As introduced, prohibits any person from coercing, compelling or forcing a hospital to violate any person's free exercise of religion or religious beliefs; makes a violation a Class A misdemeanor. - Amends TCA Title 68, Chapter 11. by \*Dunn.

**House Bill No. 3150** -- Uniform Commercial Code - As introduced, revises provisions of the Uniform Commercial Code. - Amends TCA Title 47, Chapter 1; Title 47, Chapter 2; Title 47, Chapter 2A and Title 47, Chapter 9. by \*Lundberg.

**\*House Bill No. 3151** -- District Attorneys - As introduced, creates Class E felony of a district attorney general knowingly withholding or refusing to provide exculpatory information to a defendant and Class D felony if the defendant is convicted as the result of the violation and would have been acquitted if the evidence had not been withheld. - Amends TCA Title 39, Chapter 16, Part 4. by \*Kernell.

**House Bill No. 3152** -- Revenue - As introduced, specifies proper notice be given prior to inspecting a taxpayer's books and records concerning certain privilege taxes. - Amends TCA Title 67, Chapter 4, Part 23. by \*Johnson P.

**\*House Bill No. 3153** -- Wildlife Resources Commission - As introduced, authorizes county legislative bodies to opt in to state law prohibiting the regulation of wild hog hunting on private property by the wildlife resources commission. - Amends TCA Title 70. by \*Windle.

**\*House Bill No. 3154** -- Controlled Substances - As introduced, changes the reporting deadlines for entries to the controlled substance database from at least monthly to at least every two weeks. - Amends TCA Title 53, Chapter 10. by \*Shepard.

**\*House Bill No. 3155** -- Education - As introduced, allows retired teachers' children who are under 24 years of age to receive a 25 percent discount at any state-operated institution of higher learning. - Amends TCA Title 49, Chapter 7. by \*Keisling, \*Niceley.

**House Bill No. 3156** -- Environmental Preservation - As introduced, changes dates of harvest season for wild ginseng from August 15 through December 31 to September 1 through December 31 of each year; adjusts reporting requirement for ginseng dealers to reflect new start date of harvest season. - Amends TCA Title 62, Chapter 28, Part 1 and Title 70, Chapter 8, Part 2. by \*Keisling.

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**House Bill No. 3157** -- Insurance, Health, Accident - As introduced, states that coverage made available in plans under the Memphis Plan Act of 1991 shall constitute minimum essential health coverage for purposes of compliance with certain federal minimum coverage requirements. - Amends TCA Title 56, Chapter 7. by \*DeBerry J.

**\*House Bill No. 3158** -- Tennessee Wildlife Resources Agency - As introduced, opens all property managed by TWRA to recreational hunting and fishing by deleting authority of TWRA to restrict such areas for reasons of public safety, homeland security or as otherwise limited by law. - Amends TCA Title 70, Chapter 4 and Title 70, Chapter 5. by \*Niceley.

**\*House Bill No. 3159** -- Law Enforcement - As introduced, limits the law enforcement authority of wildlife officers to the extent such officers are acting within their scope of authority for enforcing a violation of subject matter over which such officers have jurisdiction under boating regulations and enforcement of wildlife laws. - Amends TCA Title 39; Title 69 and Title 70. by \*Niceley.

**\*House Bill No. 3160** -- Agriculture, Dept. of - As introduced, directs the commissioner to implement a program of state inspection for intrastate consumption of meat, poultry or meat and poultry products and, to the greatest extent possible, to utilize the services of licensed veterinarians under contract with the department to perform the inspections. - Amends TCA Title 53, Chapter 7. by \*Niceley.

**\*House Bill No. 3161** -- Education, Higher - As introduced, requires products sold at concessions on the premises of state postsecondary institutions be Tennessee products if the product being sold is made in Tennessee. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by \*Niceley.

**\*House Bill No. 3162** -- Taxes, Exemption and Credits - As introduced, exempts staple food from state sales tax; defines staple food to include fruits and vegetables, grains, dried beans, flour, meats, poultry, fish, and certain nutritious beverages; holds local governments harmless from the loss of state-shared tax revenues. - Amends TCA Title 67, Chapter 6, Part 1; Title 67, Chapter 6, Part 2 and Title 67, Chapter 6, Part 3. by \*Niceley.

**\*House Bill No. 3163** -- Game and Fish Laws - As introduced, prohibits the seizure by TWRA of any hunting equipment or guns when such seizure does not arise from the actual illegal taking of wildlife. - Amends TCA Section 70-6-201. by \*Niceley.

**\*House Bill No. 3164** -- Livestock - As introduced, authorizes breeding facilities to possess certain native species for purposes determined by and in accordance with rules promulgated by the department of agriculture. - Amends TCA Title 43; Title 44 and Title 70, Chapter 4, Part 4. by \*Niceley.

**\*House Bill No. 3165** -- Boards and Commissions - As introduced, creates a Tennessee exotic wildlife board within the department of agriculture; gives responsibilities to the board for wildlife held in captivity for commercial purposes and gives responsibilities to the wildlife resource commission for wildlife held in captivity for personal, non-commercial purposes. - Amends TCA Title 4; Title 44 and Title 70. by \*Niceley.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3166** -- Game and Fish Laws - As introduced, eliminates Tennessee residency and reciprocity requirements for persons employed as commercial helpers in the commercial fishing industry, limits the amount of time a commercial fishing license may be revoked or suspended, and limits commercial helper's license fees. - Amends TCA Section 70-2-101 and Section 70-2-205. by \*Niceley.

**\*House Bill No. 3167** -- Tennessee Wildlife Resources Agency - As introduced, requires the executive director of the TWRA to file a report with the general assembly on February 15 of each year that details annual property damage caused by wildlife and nuisance animals. - Amends TCA Title 70. by \*Niceley.

**\*House Bill No. 3168** -- Game and Fish Laws - As introduced, limits the amount of time a commercial fishing license may be revoked or suspended. - Amends TCA Title 70, Chapter 2. by \*Niceley.

**\*House Bill No. 3169** -- Game and Fish Laws - As introduced, authorizes a state or local governmental entity to submit a bill to TWRA for removal of the carcass of dead wildlife from the roadway and requires TWRA to reimburse such entity for the cost of removal, burial and destruction. - Amends TCA Section 70-4-115. by \*Niceley.

**\*House Bill No. 3170** -- Tennessee Wildlife Resources Agency - As introduced, requires TWRA to perform a test for chronic wasting disease on deer and elk harvested or found dead on Agency wildlife management areas to be funded from proceeds of joint partnerships entered into for marketing opportunities. - Amends TCA Section 70-1-302. by \*Niceley.

**\*House Bill No. 3171** -- Criminal Procedure - As introduced, allows person who is convicted of a nonviolent felony to petition the court for expungement of the public records of such felony after 20 years if the person has not committed any other felonies during the 20-year period and has completed all requirements for the offense, including restitution. - Amends TCA Title 40, Chapter 32. by \*Kernell.

**\*House Bill No. 3172** -- Emergency Communications Districts - As introduced, authorizes the diversion of harassing non-initialized 911 phone calls to a designated entity. - Amends TCA Title 7, Chapter 86, Part 3. by \*Campbell.

**\*House Bill No. 3173** -- Motor Vehicles - As introduced, clarifies that requirement that garagekeeper must notify owner of a rental car within three days of taking possession also applies when garagekeeper possesses a vehicle that was taken into custody by police as unclaimed or abandoned. - Amends TCA Title 55, Chapter 16, Part 1 and Section 66-19-103. by \*Dean.

**\*House Bill No. 3174** -- Motor Vehicles - As introduced, requires entity actually towing vehicle to report vehicle registration information to local law enforcement when vehicle is towed pursuant to Uniform Landlord Tenant Act. - Amends TCA Title 66, Chapter 28, Part 5. by \*Dean.

**\*House Bill No. 3175** -- Criminal Offenses - As introduced, implements various procedures concerning controlled substance analogues in the same manner in which those procedures are carried out concerning controlled substances. - Amends TCA Title 4; Title 7; Title 8; Title 10; Title 29; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 49; Title 50; Title 53; Title 55; Title 57; Title 62; Title 63; Title 65; Title 67 and Title 68. by \*Shipley.

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**House Bill No. 3176** -- Unemployment Compensation - As introduced, includes service performed by election officials and election workers receiving over \$1,000 in remuneration in definition of excluded service. - Amends TCA Title 50, Chapter 7. by \*Swann, \*Ramsey.

**\*House Bill No. 3177** -- Boards and Commissions - As introduced, clarifies it is the sole responsibility of a municipality to appoint board members to a convention center where a city and a county had jointly participated in the construction of a convention center and the municipality purchased from the county all the county rights in such convention center. - Amends TCA Title 5; Title 6 and Title 7. by \*Camper.

**\*House Bill No. 3178** -- Child Custody and Support - As introduced, requires the department of human services and juvenile court or district attorney general to undertake public awareness campaign in counties implementing responsible teen parent pilot project that includes the means the department may use to collect child support. - Amends TCA Title 36; Title 37 and Title 39. by \*Camper.

**\*House Bill No. 3179** -- Probation and Parole - As introduced, increases, from two to three months, the length of time that a probationer or parolee can remain in arrears or delinquent in paying supervision and rehabilitation contributions before the arrearage or delinquency constitutes sufficient grounds to revoke probation, parole, or release. - Amends TCA Title 16; Title 40; Title 50 and Title 55. by \*Camper.

**\*House Bill No. 3180** -- Judgments - As introduced, specifies that prejudgment interest begins to accrue on the date that process is effectuated unless an applicable contract specifies otherwise. - Amends TCA Title 47. by \*Camper.

**\*House Bill No. 3181** -- Taxes - As introduced, defines "mineral interest" for purposes of a back assessment or reassessment of property taxes against a mineral interest owner. - Amends TCA Title 67. by \*Stewart.

**\*House Bill No. 3182** -- Education - As introduced, requires the accounting manuals provided by the boards of education covering the various phases of student body activity funds and other internal school funds to be published on the Internet for viewing by students, parents, and faculty. - Amends TCA Title 49. by \*Stewart.

**\*House Bill No. 3183** -- Education - As introduced, deletes reference to the select oversight committee on education. - Amends TCA Title 49. by \*Stewart.

**\*House Bill No. 3184** -- Education - As introduced, requires the Tennessee foreign language institute's annual report to include information on any monies received from private donors or government sources and schools with which the institute has collaborated or contracted. - Amends TCA Title 49. by \*Stewart.

**\*House Bill No. 3185** -- Clerks, Court - As introduced, authorizes court clerks to petition for destruction of records in certain criminal cases that have been finally disposed of for at least 10 years. - Amends TCA Title 40, Chapter 32, Part 1. by \*Stewart.

**\*House Bill No. 3186** -- Motor Vehicles - As introduced, requires the commissioner of revenue to notify any organization sponsoring a specialty license plate when such plate has failed to meet the minimum issuance requirements. - Amends TCA Title 55, Chapter 4. by \*Stewart.

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**\*House Bill No. 3187** -- Banks and Financial Institutions - As introduced, increases from \$500 to \$1,000 the license fee for any person engaging in the business of deferred presentment services in this state. by \*Stewart.

**\*House Bill No. 3188** -- Banks and Financial Institutions - As introduced, increases from \$1,000 to \$2,000 the amount of civil penalty that the commissioner of financial institutions may assess for each transaction in violation, or each day that a violation occurs, of the Deferred Presentment Services Act. - Amends amend TCA. by \*Stewart.

**\*House Bill No. 3189** -- Banks and Financial Institutions - As introduced, requires persons licensed under the Deferred Presentment Services Act to file annual reports of certain information with the commissioner of financial institutions by October 1 of each year instead of September 1. by \*Stewart.

**House Bill No. 3190** -- Criminal Offenses - As introduced, extends time period that timber purchaser must retain bill of sale from one year to 16 months. - Amends TCA Title 39. by \*Stewart.

**House Bill No. 3191** -- Forfeiture of Assets - As introduced, changes number of days within which a seizing agency must apply for a forfeiture warrant after seizing property from five to seven days. - Amends TCA Title 39. by \*Stewart.

**\*House Bill No. 3192** -- Criminal Offenses - As introduced, authorizes governmental entities to include language stating maximum penalty for offense of theft in signs warning public that theft of material from stone walls is theft. - Amends TCA Title 39. by \*Stewart.

**House Bill No. 3193** -- Drugs, Over the Counter - As introduced, provides certain penalties for any person or entity selling or introducing certain synthetic drugs as products and labeling such drugs for a use that the person or entity knows or reasonably should know will not be the intended use. - Amends TCA Title 39; Title 40 and Title 47, Chapter 18. by \*Stewart.

**House Bill No. 3194** -- Consumer Protection - As introduced, revises disclosures required and cancellation provisions relative to time-shares and prohibits certain advertisements. - Amends TCA Title 66, Chapter 32. by \*Stewart.

**\*House Bill No. 3195** -- State Employees - As introduced, allows state employee upon retirement to keep such employee's photo identification card issued by the state; requires sticker or other designation to be placed on the card; specifies such card may be used as valid photo id for voting purposes. - Amends TCA Section 2-7-112 and Title 8. by \*Cobb .

**House Bill No. 3196** -- Driver Licenses - As introduced, exempts persons who canceled their social security numbers from furnishing such information to obtain a driver license. - Amends TCA Section 55-50-321. by \*Cobb .

**House Bill No. 3197** -- Adoption - As introduced, states that either party to an adoption may enforce contract provision providing for open adoption or visitation; allows certain adopted children to be issued new certificate of birth upon reaching age of majority. - Amends TCA Title 36 and Title 68. by \*Ragan.

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**House Bill No. 3198** -- Sentencing - As introduced, adds carjacking and especially aggravated burglary to offenses for which a defendant is required to serve at least 85 percent of the sentence before release eligibility; provides that certain prisoners be released upon turning 65 if they have served 15 consecutive calendar years. - Amends TCA Title 39 and Title 40. by \*Coley.

**\*House Bill No. 3199** -- Mining and Quarrying - As introduced, enacts the "Responsible Coal Operators Act of 2012" to authorize the commissioner of environment and conservation to consider past practices when deciding whether to issue, renew or deny a permit issued under the Water Quality Control Act for a coal mine. - Amends TCA Title 59 and Title 69. by \*Hawk.

**\*House Bill No. 3200** -- Capitol - As introduced, authorizes secretary of state to produce a virtual tour of the state capitol, capitol annexes and grounds and to publish the virtual tour on the web sites of the general assembly and secretary of state; authorizes secretary of state to distribute the virtual tour on electronic media, through the state library and archives, to public and private K-12 schools. - Amends TCA Section 4-8-101. by \*Coley.

**\*House Bill No. 3201** -- Fees - As introduced, authorizes a certain municipality to assess and collect a historic landmark preservation fee for certain purposes; authorizes such municipality to create a board of directors to ensure that the historic landmark is preserved, maintained and improved. - Amends TCA Title 6; Title 13; Title 57 and Title 67. by \*DeBerry J.

**\*House Bill No. 3202** -- Taxes, Exemption and Credits - As introduced, exempts the sale of gold, silver and platinum coins and bullion that are used as mediums of exchange from sales tax. - Amends TCA Title 67, Chapter 6, Part 1 and Title 67, Chapter 6, Part 3. by \*Niceley.

**\*House Bill No. 3203** -- Gas, Petroleum Products, Volatile Oils - As introduced, directs the state oil and gas board to adopt regulations and governing standards for groundwater protection, effective November 1, 2012. - Amends TCA Title 60, Chapter 1 and Title 69, Chapter 3, Part 1. by \*Richardson.

**\*House Bill No. 3204** -- Gas, Petroleum Products, Volatile Oils - As introduced, defines "fracking" and "trade secret" relative to well drilling; creates a notice requirement and prior approval from the state oil and gas board before any chemicals are injected into the wells; establishes a disclosure process if any injection is confidential or involves trade secrets. - Amends TCA Title 60, Chapter 1 and Title 69, Chapter 3, Part 1. by \*Richardson.

**\*House Bill No. 3205** -- Gas, Petroleum Products, Volatile Oils - As introduced, establishes regulations governing groundwater protection standards that are no less stringent than those adopted by the American Petroleum Institute in Guidance Document HF1, First Edition, Hydraulic Fracturing Operations - Well Construction and Integrity Guidelines, October 2009 or any later revision. - Amends TCA Title 60, Chapter 1 and Title 69, Chapter 3, Part 1. by \*Richardson.

**\*House Bill No. 3206** -- Child Custody and Support - As introduced, permits the court to terminate one parent's rights to a child but not the other where certain clear and convincing evidence is established. - Amends TCA Title 36; Title 37 and Title 39. by \*Alexander.

**\*House Bill No. 3207** -- Motor Vehicles - As introduced, requires entity actually towing vehicle to report vehicle registration information to local law enforcement when vehicle is towed pursuant to Uniform Landlord Tenant Act. - Amends TCA Section 66-28-519. by \*Dean.

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**\*House Bill No. 3208** -- Fairs - As introduced, authorizes the commissioner of agriculture to appoint a state fair advisory commission to develop criteria and other standards for the Tennessee state fair. - Amends TCA Title 4; Title 5; Title 12; Title 43 and Title 67. by \*Womick.

**House Bill No. 3209** -- Education - As introduced, requires the department of education to provide funding to certain entities that assist students in the custody of the department of children's services in obtaining a GED. - Amends TCA Title 4, Chapter 3, Part 14 and Title 49. by \*Pitts.

**House Bill No. 3210** -- Education - As introduced, permits state appropriations or state funds to be made to the directors of schools association. - Amends TCA Title 49, Chapter 2, Part 21. by \*Pitts.

**House Bill No. 3211** -- Education - As introduced, requires the Tennessee organization of school superintendents and the Tennessee school boards association to collaborate to set and achieve goals related to the general improvement of education in the state. - Amends TCA Section 49-2-2001. by \*Pitts.

**House Bill No. 3212** -- Driver Licenses - As introduced, specifies that the letter from a physician verifying a person's disability must set forth the nature of the disability, when applying for a photo identification license. - Amends TCA Title 55, Chapter 50, Part 3 and Title 55, Chapter 51, Part 1. by \*Pitts.

**House Bill No. 3213** -- Taxes, Exemption and Credits - As introduced, authorizes property tax relief for spouses of veterans whose deaths resulted from being deployed in support of peace operations. - Amends TCA Section 67-5-704. by \*Pitts.

**House Bill No. 3214** -- Special License Plates - As introduced, authorizes issuance of special license plates for honorably discharged Iraqi and Afghanistan veterans on a revenue neutral basis. - Amends TCA Title 55, Chapter 4. by \*Pitts.

**\*House Bill No. 3215** -- Wildlife Resources Commission - As introduced, revises membership of Tennessee wildlife resources commission. - Amends TCA Title 4, Chapter 29 and Title 70. by \*Cobb .

**\*House Bill No. 3216** -- Consumer Protection - As introduced, authorizes the commissioner of financial institutions to enforce title 47 against any entity regulated by the commissioner. - Amends TCA Title 45 and Title 47. by \*Gotto.

**\*House Bill No. 3217** -- Utilities, Utility Districts - As introduced, specifies that any customer installing water service is entitled to procure the equipment and supplies to be used for installation purposes. - Amends TCA Title 7, Chapter 82 and Title 65. by \*Johnson P, \*Gotto.

**House Bill No. 3218** -- Fines and Penalties - As introduced, requires person who pleads guilty to offense of reckless driving or reckless endangerment where the originally charged offense is DUI to pay fine from within the same range as first offense DUI fine. - Amends TCA Title 39 and Title 55. by \*Gotto.



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**\*House Bill No. 3219** -- Health Care - As introduced, states that after the initial utilization review, additional information or follow-up utilization review for outpatient mental health or chemical dependency patients shall be limited to no more than 10 percent of reviews performed by the utilization review agent for the previous year. - Amends TCA Section 56-6-705. by \*Turner M.

**\*House Bill No. 3220** -- Psychologists - As introduced, requires licensed psychologists, psychological examiners, senior psychological examiners and certified psychological assistants, as a condition of renewal of their respective licenses, to complete three of continuing education requirements established by the board, which shall be obtained in a face-to-face, board defined Type 1 continuing education activity that pertains to ethics and Tennessee jurisprudence rational to the practice of psychology. - Amends TCA Title 63, Chapter 11. by \*Hill.

**\*House Bill No. 3221** -- Workers Compensation - As introduced, authorizes psychologists licensed in this state to provide impairment ratings for mental injuries in workers' compensation cases. - Amends TCA Title 50, Chapter 6. by \*Odom.

**House Bill No. 3222** -- Judges and Chancellors - As introduced, allows a person to carry a firearm during a judicial proceeding if the person is a judge, has a handgun carry permit and only carries the gun concealed while engaged in judicial duties. - Amends TCA Section 39-17-1306. by \*McDaniel.

**House Bill No. 3223** -- Special License Plates - As introduced, reclassifies the Tennessee Walking Horse cultural license plate as a new specialty earmarked license plate; changes the distribution of revenue from 80 percent to the arts and 20 percent to the highway fund to 50 percent to the TN Equine Association, 40 percent to the arts and 10 percent to the highway fund. - Amends TCA Title 55, Chapter 4. by \*McDaniel.

**\*House Bill No. 3224** -- Education, Higher - As introduced, prohibits state institutions of higher education from charging a fee to any higher education employee for parking. - Amends TCA Title 49, Chapter 7. by \*Hill.

**House Bill No. 3225** -- Fees - As introduced, requires forfeitures of a cash bond or other surety as the result of a municipal traffic violation to be transmitted to the TBI. - Amends TCA Title 6, Chapter 54; Title 7, Chapter 3 and Title 38, Chapter 6, Part 1. by \*Watson.

**House Bill No. 3226** -- Criminal Procedure - As introduced, increases from \$50.00 to \$350, the fee for expungement of records following completion of judicial diversion; requires payment of \$100 fee prior to issuance of certificate of eligibility for diversion. - Amends TCA Section 38-6-118; Section 40-32-101 and Section 40-35-313. by \*Watson.

**House Bill No. 3227** -- Fees - As introduced, requires department of safety to publish maximum fee amount that may be charged for vehicle ignition interlock device on department's web site. - Amends TCA Title 55, Chapter 10. by \*Watson.

**House Bill No. 3228** -- Fees - As introduced, establishes a fee imposed on customers for transmitting money through certain entities; requires the department of revenue to administer the collection of said fee; establishes a fund for the moneys collected that can be utilized by the Tennessee bureau of investigation for certain activities. - Amends TCA Title 39, Chapter 14, Part 9; Title 40, Chapter 33, Part 2; Title 45, Chapter 7, Part 2 and Title 67, Chapter 4. by \*Watson.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3229** -- Municipal Government - As introduced, prohibits employee organization from using municipal name for fundraising efforts. - Amends TCA Title 6, Chapter 54, Part 1. by \*Casada.

**House Bill No. 3230** -- Local Education Agencies - As introduced, clarifies that unused municipal school buildings may be used by private child care centers and kindergartens for the purpose of providing educational and child care services to the community. - Amends TCA Title 5; Title 6; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6; Title 49, Chapter 1 and Title 49, Chapter 2. by \*McCormick.

**House Bill No. 3231** -- Local Education Agencies - As introduced, authorizes county boards of education, by agreement with city and special school districts, to allow students from such districts to access the county board's cooperative innovative high school program, if the city or special school districts have not established such program. - Amends TCA Title 5; Title 6 and Title 49. by \*McCormick.

**House Bill No. 3232** -- Local Education Agencies - As introduced, requires the county mayor, county trustee and county board of education to make quarterly settlement of school funds from all sources, including the BEP and other state and federal funds. - Amends TCA Title 49, Chapter 2. by \*McCormick.

**House Bill No. 3233** -- Local Education Agencies - As introduced, permits local boards of education to enter into continuing contracts governing the use of each other's schools in case of casualty losses or natural disasters. - Amends TCA Title 5; Title 6 and Title 49. by \*McCormick.

**House Bill No. 3234** -- Municipal Government - As introduced, removes prohibition on creation of municipal school districts. - Amends TCA Section 6-58-112. by \*McCormick.

**House Bill No. 3235** -- Taxes, Exemption and Credits - As introduced, enacts the "Educate and Employ Act of 2012." - Amends TCA Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21. by \*McCormick.

**House Bill No. 3236** -- Driver Licenses - As introduced, prevents sex offenders from obtaining or renewing commercial drivers licenses as of July 1, 2012. - Amends TCA Title 39; Title 40 and Title 55. by \*Hurley.

**House Bill No. 3237** -- Probate Law - As introduced, revises and clarifies various provisions of law related to probate matters. - Amends TCA Title 8; Title 29; Title 30; Title 32; Title 33; Title 35 and Title 56. by \*Elam.

**House Bill No. 3238** -- Local Education Agencies - As introduced, requires local board of education to approve budget for operation of county schools after the county legislative body's approval in accordance with Local Option Budgeting Law of 1993. - Amends TCA Section 49-2-101. by \*Brooks H.

**House Bill No. 3239** -- Education - As introduced, limits virtual school enrollment to students of the LEA creating the virtual school; permits LEAs to contract with each other to offer joint virtual education programs. - Amends TCA Title 49, Chapter 16. by \*Brooks H.

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**House Bill No. 3240** -- Election Laws - As introduced, requires the coordinator of elections to file a report with the state and local government committees and speakers of each house no later than February 15th of each odd-numbered year detailing the success or failure of a minor party in receiving recognition as a recognized minor party during the previous election cycle. - Amends TCA Title 2. by \*Brooks H.

**\*House Bill No. 3241** -- Education - As introduced, requires local boards of education to adopt policies concerning a teacher's ability to relocate a student for the safety of the student and the safety of others. - Amends TCA Title 49. by \*Brooks H.

**\*House Bill No. 3242** -- Flags - As introduced, requires that on state-wide days of mourning for members of the military whose deaths are combat-related, the honor and remember flag be flown in addition to the state flag at half-staff over the capitol. - Amends TCA Title 2; Title 4; Title 5; Title 6; Title 9; Title 12 and Title 13. by \*Matheny.

**House Bill No. 3243** -- Jails, Local Lock-ups - As introduced, directs the board of the Tennessee corrections institute to establish criteria for determining whether to waive the minimum qualification standards to employ a jail administrator, workhouse administrator, jailer, corrections officer or guard in county jail or workhouse; and prohibits waivers for employees dishonorably discharged from the military, suffering from mental illness, convicted of domestic assault or any felony conviction. - Amends TCA Section 41-7-106. by \*Matheny.

**\*House Bill No. 3244** -- Criminal Offenses - As introduced, increases the maximum fine to \$30,000 for initiating the manufacture of methamphetamine within 200 feet of a child. - Amends TCA Title 37; Title 38; Title 39; Title 40; Title 53; Title 63; Title 67 and Title 68. by \*Matheny.

**\*House Bill No. 3245** -- General Assembly - As introduced, changes the date of the first meeting of the joint legislative services committee at the call of the co-chairs to within 30 days, instead of 15 days, after the appointment of the members of the committee. - Amends TCA Title 3 and Title 8, Chapter 44. by \*Matheny.

**House Bill No. 3246** -- Professions and Occupations - As introduced, increases from three years to four years the amount of time a scrap metal dealer must maintain records of scrap metal transactions on site and available for inspection. - Amends TCA Title 62. by \*Matheny.

**\*House Bill No. 3247** -- Motor Vehicles - As introduced, revises information that must be filed when motor vehicles are sold to a motor vehicle dismantler and recycler; requires the department of safety to provide a means for statements to be filed electronically; makes falsification of required statements, with intent to defraud, the offense of forgery. - Amends TCA Title 55, Chapter 3, Part 2. by \*Matheny.

**\*House Bill No. 3248** -- Environment and Conservation, Department of - As introduced, expands department reporting requirements on the hazardous waste regulatory program. - Amends TCA Title 68, Chapter 212. by \*Matheny.

**\*House Bill No. 3249** -- Lottery, Scholarships and Programs - As introduced, changes the definition of "home school student" for purposes of the Tennessee HOPE scholarship to require that a student be home schooled the last year of high school instead of the last two years of high school. - Amends TCA Section 49-4-902. by \*Hill.

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**\*House Bill No. 3250** -- Employees, Employers - As introduced, expands categories of employees subject to routine periodic drug testing under the drug free workplace program to include persons who work in safety or security related positions. - Amends TCA Title 50, Chapter 9. by \*Butt.

**House Bill No. 3251** -- Employees, Employers - As introduced, prohibits public and private employers from inquiring into a prospective employee's criminal background on an initial application for employment. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 47; Title 49; Title 50 and Title 71. by \*Gilmore.

**\*House Bill No. 3252** -- Welfare - As introduced, requires recipients of federal assistance and benefits administered by state, county or municipal agencies to present photo identification in order to receive or access benefits. - Amends TCA Title 4 and Title 71. by \*Gilmore.

**House Bill No. 3253** -- Employees, Employers - As introduced, clarifies the employee's 30-minute rest break or meal period to include a right to waive the meal period or break. - Amends TCA Title 50. by \*Gilmore.

**House Bill No. 3254** -- Registers of Deeds - As introduced, allows the name and address of the person that prepared an instrument that conveys or encumbers the title to real estate or personal property to appear anywhere within the instrument; revises other registration provisions. - Amends TCA Section 66-24-115. by \*Haynes.

**House Bill No. 3255** -- Taxes, Privilege - As introduced, reduces the rate of assessment for the realty recordation tax. - Amends TCA Section 67-4-409. by \*Haynes.

**\*House Bill No. 3256** -- Children - As introduced, requires certain contractors of department of children's services to petition a court for an inpatient psychiatric evaluation of a child in certain circumstances. - Amends TCA Title 33; Title 37 and Title 49. by \*Jones S.

**\*House Bill No. 3257** -- Criminal Offenses - As introduced, specifies that a public place includes places that an ordinary observer would see while located in a public place. - Amends TCA Title 39 and Title 40. by \*Casada.

**\*House Bill No. 3258** -- Zoning - As introduced, establishes reclamation regulation under mineral surface mining law and not local zoning regulations as law governing specified reclamation activities. - Amends TCA Title 13, Chapter 7 and Title 59, Chapter 8, Part 2. by \*Haynes.

**\*House Bill No. 3259** -- Pharmacy, Pharmacists - As introduced, defines limited service pharmacy permit for applicants providing peritoneal dialysis products for home patients. - Amends TCA Section 63-10-204. by \*Camper.

**\*House Bill No. 3260** -- Real Property - As introduced, increases the offense from a Class C misdemeanor to a Class B, punishable by fine only, for any assessor or deputy assessor to willfully or knowingly permit or allow any property subject to taxation to be or remain unassessed or omitted from assessment, or to willfully or knowingly assess any property at less than the percentage of value required by law. - Amends TCA Title 5; Title 6; Title 7; Title 16; Title 17; Title 66; Title 67 and Title 68. by \*Camper.

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**\*House Bill No. 3261** -- Economic and Community Development - As introduced, requires commissioners of economic and community development and revenue to study effects of tax incentives on industrial and tourism development and issue a report to the governor and legislature by January 15, 2013. - Amends TCA Title 7, Chapter 53 and Title 7, Chapter 88. by \*Camper.

**House Bill No. 3262** -- Judgments - As introduced, requires that funds taken from a person who is protected by the federal Servicemembers Civil Relief Act in a default judgment be returned to that person upon a finding that the person is so protected. - Amends TCA Title 20; Title 25; Title 26; Title 27; Title 29; Title 36; Title 47 and Title 67. by \*Camper.

**House Bill No. 3263** -- Agriculture - As introduced, revises various provisions of the Agriculture Commodities Promotion Act, including provisions requiring certain reports by purchasers and provisions governing the membership of the beef promotion board. - Amends TCA Title 43, Chapter 29, Part 1. by \*Halford.

**House Bill No. 3264** -- Law Enforcement - As introduced, authorizes the peace officer standards and training commission to exempt from basic law enforcement training those police recruits who have earned a bachelor's degree in criminal science, provided they meet other training requirements. - Amends TCA Title 38. by \*Halford.

**House Bill No. 3265** -- Health, Dept. of - As introduced, redefines indigence income, when evaluating statistics and reports submitted to the department on uncompensated care, to an amount that does not exceed 133 percent instead of 100 percent of federal poverty guidelines. - Amends TCA Title 68, Chapter 1. by \*Campbell.

**\*House Bill No. 3266** -- Education - As introduced, prohibits LEAs, school administrators and educators from taking action that infringes on or waives first amendment rights of school personnel or students without written consent of those who would be affected. - Amends TCA Title 49. by \*Johnson P, \*Watson.

**House Bill No. 3267** -- Education - As introduced, requires at least 50 percent of the sample of school improvement plans reviewed by the office of education accountability to be comprised of plans from low-performing schools and low-performing LEAs; deletes reference to education oversight committee. - Amends TCA Title 49. by \*White.

**House Bill No. 3268** -- Education - As introduced, prohibits promotion of third grade students based on participation in an LEA-approved research-based intervention. - Amends TCA Section 49-6-3115. by \*White.

**House Bill No. 3269** -- Students - As introduced, prohibits promotion of students in the third and eighth grades who do not demonstrate understanding of the curriculum and the ability to perform required grade level skills either through the student's grades or standardized test scores, except under certain circumstances. - Amends TCA Section 49-6-3115. by \*White.

**House Bill No. 3270** -- Libraries - As introduced, authorizes a city in a county not participating in a region to join the state regional system as related to state purchasing contracts with approval by the secretary of state. - Amends TCA Title 10, Chapter 5. by \*White.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3271** -- Insurance Companies, Agents, Brokers, Policies - As introduced, allows insurance providers in this state to develop plans that provide major medical insurance coverage for an illness requiring hospital care, without having to include certain mandated coverage as long as such mandated coverage is not essential to the provision of basic health care for the illness requiring hospital care. - Amends TCA Title 56. by \*White.

**\*House Bill No. 3272** -- Education - As introduced, requires standardized testing of K-2 students in schools in the achievement school district or in schools feeding into schools in the achievement school district to determine how to best target student learning needs and if any learning disparities exist. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6. by \*Parkinson.

**\*House Bill No. 3273** -- Education - As introduced, requires full funding of pre-K for students who are in school zones feeding into schools in the achievement school district that the district directly runs. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6. by \*Parkinson.

**House Bill No. 3274** -- Motor Vehicles - As introduced, prevents car dealerships from being held vicariously liable when loaning a vehicle to a customer with proof of insurance, except in the case of gross negligence. - Amends TCA Title 55. by \*Elam.

**House Bill No. 3275** -- Corporations, For Profit - As introduced, extends the attorney general and reporter's deadline of objection for any proposed public benefit hospital conveyance transaction from 45 days to 60 days and provides an additional 45-day extension to review and consider the transaction. - Amends TCA Title 48, Chapter 68. by \*Harrison.

**\*House Bill No. 3276** -- Public Funds and Financing - As introduced, authorizes county legislative body to allow trustees to invest funds in state intermediate-term investment fund. - Amends TCA Section 9-4-608. by \*Sargent.

**\*House Bill No. 3277** -- Taxes, Exemption and Credits - As introduced, exempts income derived from stocks and bonds of certain Subchapter S corporations from the Hall income tax. - Amends TCA Title 67, Chapter 2. by \*Sargent, \*Todd.

**\*House Bill No. 3278** -- Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits title insurance companies and title insurance rating organizations from filing as part of their schedule of rates for title insurance, that part of the charge for title insurance applicable to search and examination in connection with insurance of title to real property located in counties with a population of less than 175,000 instead of those with less than 275,000. - Amends TCA Section 56-35-129. by \*Sargent.

**\*House Bill No. 3279** -- Gas, Petroleum Products, Volatile Oils - As introduced, requires a dealer that engages in the liquefied petroleum gas business to submit evidence that the storage of flammable, combustible or explosive material shall not present serious health, safety and fire risks to structures within 1,000 feet of any storage facility owned by the dealer. - Amends TCA Title 68, Chapter 135, Part 1. by \*Harrison.

**\*House Bill No. 3280** -- Special License Plates - As introduced, authorizes issuance of Teamsters cultural license plates. - Amends TCA Title 55, Chapter 4. by \*Moore.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3281** -- Campaigns and Campaign Finance - As introduced, removes prohibition on insurance companies making campaign contributions; removes PAC aggregate limitation on candidates; deletes report requirement on certain large contributions made within 10 days of election. - Amends TCA Title 2, Chapter 10 and Title 56, Chapter 3. by \*Maggart.

**\*House Bill No. 3282** -- Judges and Chancellors - As introduced, allows members of the judicial nominating commission to serve successive terms; allows solicitor general and employees of the attorney general to serve on the commission; allows members to participate in meetings by telephone if three or fewer applicants; allows members continuance in court hearings if commission meeting scheduled. - Amends TCA Title 17, Chapter 4, Part 1. by \*Maggart.

**\*House Bill No. 3283** -- Sexual Offenders - As introduced, authorizes judge, after consideration of facts and circumstances surrounding the case, to require a person convicted of statutory rape for the first time to register as a sexual offender on the sexual offender and violent sexual offender registry. - Amends TCA Title 39, Chapter 13, Part 5 and Title 40, Chapter 39, Part 2. by \*Maggart.

**House Bill No. 3284** -- Education - As introduced, broadens the purpose of certain statutory restrictions concerning who may enter school grounds during school hours. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6. by \*Maggart.

**House Bill No. 3285** -- Teachers, Principals and School Personnel - As introduced, provides for mutual consent placement of teachers and alternate options for teachers not selected for positions through mutual consent. - Amends TCA Title 49. by \*Maggart.

**House Bill No. 3286** -- Teachers, Principals and School Personnel - As introduced, establishes a pay system for LEA instructional personnel based on performance. - Amends TCA Title 49. by \*Maggart.

**\*House Bill No. 3287** -- Criminal Offenses - As introduced, requires attorney general to report annually to judiciary committee of each chamber of the general assembly the number of persons prosecuted and convicted of unlawful drawing of real estate transfer documents. - Amends TCA Title 39 and Title 66. by \*Richardson.

**House Bill No. 3288** -- Health, Dept. of - As introduced, requires the department to pay pregnant women who are enrolled in TennCare and living in certain zip codes \$50.00 for each prenatal office visit they attend from 2013-2018. - Amends TCA Title 68 and Title 71. by \*Richardson.

**\*House Bill No. 3289** -- Election Laws - As introduced, revises various provisions related to elections. - Amends TCA Section 2-13-203(d); Section 2-14-106(a); Section 2-14-202(b); Section 2-2-111(b); Section 2-2-114(b); Section 2-2-129(a)(1); Section 2-3-101(a); Section 2-3-103; Section 2-4-108(b); Section 2-5-151(c); Section 2-6-102(a)(1); Section 2-6-103(a)(1); Section 2-8-104; Section 2-9-109(b) and Section 67-6-707(2). by \*Wirgau.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3290** -- Election Laws - As introduced, raises the dollar amount paid to election officials who attend the instructional meeting and serve at an election from \$10.00 to \$25.00 dollars; allows payment to those who attend meeting but don't serve in the election; raises the minimum dollar amount paid to election officials, judges, machine operators, and inspectors from \$50.00 to \$90.00 dollars on election day. - Amends TCA Title 2, Chapter 4 and Title 2, Chapter 5. by \*Wirgau.

**\*House Bill No. 3291** -- Election Laws - As introduced, requires the publishing of a sample ballot in a newspaper of general circulation at least five days before early voting only, instead of prior to early voting and prior to an election by the county election commission. - Amends TCA Title 2, Chapter 5. by \*Wirgau, \*Sanderson.

**\*House Bill No. 3292** -- Solid Waste Disposal - As introduced, requires that aluminum dross be disposed of in Class I landfills, prohibits increasing classification of existing landfills located within municipal boundaries to Class I, requires local approval of increases in classification in counties and municipalities. - Amends TCA Title 68. by \*Wirgau, \*Tidwell, \*Dennis.

**\*House Bill No. 3293** -- Welfare - As introduced, requires any voucher issued under the Special Supplemental Food Program for Women, Infants, and Children to be redeemable only when purchasing items of lesser cost if multiple items with comparable nutritional value are available. - Amends TCA Title 71, Chapter 5, Part 3. by \*Faison.

**\*House Bill No. 3294** -- Tort Liability and Reform - As introduced, limits liability of whitewater rafting companies in certain circumstances. - Amends TCA Title 70. by \*Faison, \*Matheny, \*Watson.

**House Bill No. 3295** -- Controlled Substances - As introduced, requires health care practitioners who are authorized to prescribe controlled substances to query the controlled substance database concerning the prescription history of certain persons and to make appropriate reports. - Amends TCA Title 53 and Title 63. by \*Powers.

**House Bill No. 3296** -- Pharmacy, Pharmacists - As introduced, requires the board of pharmacy to notify licensed pharmacies and pharmacists of changes to applicable rules, statutes, policies, and guidelines; requires the board to maintain a link on its Web site to applicable statutes, rules, policies, and guidelines; requires that licensees maintain at the sites of their practices a copy of the board's statutes, rules, policies, and guidelines. - Amends TCA Title 53 and Title 63. by \*Powers.

**House Bill No. 3297** -- Physicians and Surgeons - As introduced, requires physicians to communicate certain information about mammographic breast density to patients. - Amends TCA Title 63. by \*Powers.

**House Bill No. 3298** -- Insurance, Health, Accident - As introduced, requires health insurance policies to cover communication of mammographic breast density information to patients; requires physicians to communicate mammographic breast density information to patients. - Amends TCA Title 56 and Title 63. by \*Powers.



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**\*House Bill No. 3299** -- Short Term Loans and Lenders - As introduced, requires pawnbrokers to file their daily transaction reports with the appropriate law enforcement agencies within the same timeframe as is currently required for the daily transaction reports of scrap jewelry and metal dealers. - Amends TCA Title 38, Chapter 1, Part 2 and Title 45, Chapter 6, Part 2. by \*Dunn.

**House Bill No. 3300** -- Funeral Directors and Embalmers - As introduced, establishes priority of right to the disposition of human remains and limits certain liability of funeral establishments and funeral directors. - Amends TCA Title 32; Title 47; Title 62, Chapter 5 and Title 68. by \*Fitzhugh, \*Forgety.

**House Bill No. 3301** -- Education - As introduced, requires a biennial report by the office of research and education accountability on costs of school construction for use by the BEP review committee in considering the capital outlay component of the BEP. - Amends TCA Title 5; Title 6; Title 49 and Title 67. by \*Hill.

**\*House Bill No. 3302** -- Food and Food Products - As introduced, authorizes the sale of food and food products cooked or produced in a home kitchen if vendor has a sign announcing that a home kitchen was the source of such food or food products. - Amends TCA Title 53, Chapter 8, Part 1. by \*Hill.

**\*House Bill No. 3303** -- Taxes, Sales - As introduced, revises definition of a border retail tourism development district to include a district located in a municipality that borders two states and is less than two miles from an intersection of two interstates. - Amends TCA Title 7, Chapter 40, Part 1. by \*Hill.

**\*House Bill No. 3304** -- Nuisances - As introduced, enacts the "Chronic Nuisance Property Act." - Amends TCA Title 7, Chapter 51. by \*Floyd.

**House Bill No. 3305** -- Special License Plates - As introduced, authorizes issuance of an American Lung Association new specialty earmarked license plate. - Amends TCA Title 55, Chapter 4. by \*Floyd.

**\*House Bill No. 3306** -- Teachers, Principals and School Personnel - As introduced, requires department of education to recommend a teacher evaluation modification to the state board of education enabling local education agencies to set the frequency and extent of teacher evaluations to be completed for high performing teachers; requires implementation of teacher evaluation modification prior to 2013-2014 academic year; requires commissioner to report on modification recommended to education committees. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 5. by \*Swann.

**House Bill No. 3307** -- Eminent Domain - As introduced, extends notice to property owners of public hearing concerning redevelopment plan from 10 days to 14 days. - Amends TCA Title 7, Chapter 31; Title 13, Chapter 20 and Title 29. by \*Niceley.

**\*House Bill No. 3308** -- Environment and Conservation, Department of - As introduced, requires department to conduct a study of mercury levels present in state rivers and streams. - Amends TCA Title 4, Chapter 3, Part 5; Title 68 and Title 69. by \*Niceley.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Bill No. 3309** -- County Officers - As introduced, removes provision that permits clerks, registers of deeds, trustees and sheriffs to retain payments made for special services as a trustee, receiver or special commissioner. - Amends TCA Title 8, Chapter 22, Part 1. by \*Keisling.

**\*House Bill No. 3310** -- Insurance, Health, Accident - As introduced, allows, until such time as the federal government reimburses Tennessee for monies erroneously received in connection with individuals erroneously enrolled in the Medicaid program, the commissioner of commerce and insurance to project income for any applicant on a state-based insurance exchange that would make such person ineligible for Medicaid; Tennessee will not be obligated to reimburse the federal government for erroneous payments if the applicant is subsequently determined eligible for Medicaid. - Amends TCA Title 4, Chapter 3, Part 18; Title 56; Title 63; Title 68 and Title 71. by \*Sargent.

**House Bill No. 3311** -- Public Funds and Financing - As introduced, authorizes the commissioner of finance and administration to adopt policies for writing off or cancelling any checks drawn on the state treasury that have not been redeemed. - Amends TCA Title 4; Title 9 and Title 66, Chapter 29. by \*Sargent.

**House Bill No. 3312** -- Courts - As introduced, requires that any proof of tolls incurred by jurors must include receipts. - Amends TCA Title 8, Chapter 26, Part 1; Title 16, Chapter 4, Part 1; Title 16, Chapter 3, Part 1 and Title 22, Chapter 4, Part 1. by \*Sargent.

**House Bill No. 3313** -- Real Estate Agents and Brokers - As introduced, sets a 10-day period in which notice must be provided by a person seeking to collect a judgment out of funds held in the real estate education and recovery account. - Amends TCA Title 4; Title 62, Chapter 13 and Title 66. by \*Sargent.

**House Bill No. 3314** -- Professions and Occupations - As introduced, requires that any governmental employee, on whose behalf the government chooses to pay the professional privilege tax, use their certification or licensure in connection with their employment. - Amends TCA Title 67, Chapter 4, Part 17. by \*Sargent.

**House Bill No. 3315** -- Public Records - As introduced, defines "state law" to be Tennessee statutes, rules and case law for purposes of the provision in the public records law exempting any records from disclosure that are confidential under "state law." - Amends TCA Title 10, Chapter 7, Part 5. by \*Sargent.

**House Bill No. 3316** -- Finance and Administration, Dept. of - As introduced, allows the commissioner to develop procedures setting forth circumstances under which direct deposit of state employees' compensation may be required. - Amends TCA Title 4, Chapter 3, Part 1; Title 4, Chapter 3, Part 10 and Title 8. by \*Sargent.

**House Bill No. 3317** -- Hospitals and Health Care Facilities - As introduced, establishes an Independent Formal Dispute Resolution Program for nursing homes, as required by the federal Patient Protection and Affordable Care Act; directs that the program will have three independent members; and explains the qualifications required of each member. - Amends TCA Title 68, Chapter 11, Part 2. by \*Dennis.

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**House Bill No. 3318** -- Taxes, Hotel Motel - As introduced, limits the purpose of any ordinance enacted by a home rule municipality, or enacted by a private act, with regard to an occupancy tax to those that directly increase tourism within the jurisdiction from which they are collected. - Amends TCA Title 67, Chapter 4. by \*Montgomery.

**House Bill No. 3319** -- Taxes, Hotel Motel - As introduced, requires that the proceeds collected from hotel occupancy taxes be used to directly increase tourism in the jurisdiction in which such taxes are collected. - Amends TCA Title 67, Chapter 4. by \*Montgomery.

**\*House Bill No. 3320** -- Firearms and Ammunition - As introduced, permits a county or municipal correctional officer to carry a firearm if the officer has completed POST firearms training and is authorized to carry by the sheriff. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 38 and Title 39, Chapter 17. by \*Sparks.

**House Bill No. 3321** -- Search & Seizure - As introduced, prohibits the use of unmanned aircraft or similar structures for the purpose of conducting investigations or surveillance where the investigating agency does not have a search warrant for the property under surveillance. - Amends TCA Title 39 and Title 40. by \*Dennis.

**\*House Bill No. 3322** -- Economic and Community Development - As introduced, requires the commissioner of economic and community development and the commissioner of revenue to study and report to the general assembly the effect of tax incentives on economic development in cities and counties. - Amends TCA Title 67. by \*Watson.

**House Bill No. 3323** -- Lottery, Charitable - As introduced, authorizes formation of a broad-based school foundation, subject to certain conditions, by a school or its administrators or supporters; authorizes school foundations, although not in existence for at least five years, to be 501(c)(3) organizations for purposes of the Tennessee Charitable Gaming Implementation Law; removes requirement that 501(c)(3) organizations wanting to conduct an annual event to raise no more than \$5,000 be in existence for five years. - Amends TCA Title 3, Chapter 17; Title 49, Chapter 2 and Title 49, Chapter 3. by \*Johnson P.

**\*House Bill No. 3324** -- General Assembly - As introduced, permits a member to request and be paid an advance on the monthly expense allowance up to 90 days in advance of the date the allowance is due and payable in certain circumstances. - Amends TCA Section 3-1-106. by \*Kernell.

**\*House Bill No. 3325** -- Children - As introduced, requires LEAs to notify parents and guardians of disabled children of services available to such children. - Amends TCA Title 49. by \*Kernell.

**\*House Bill No. 3326** -- Fees - As introduced, creates the local correctional officer training fund through the collection of a 10-cent fee for each completed telephone call or other electronic communication made by inmates housed in local jails or workhouses. - Amends TCA Section 41-7-104. by \*Ramsey.

**House Bill No. 3327** -- Budget Procedures - As introduced, enacts the "Taxpayer Transparency Act"; requires the commissioner of finance and administration to create and maintain a searchable budget database web site detailing certain state budgetary information. - Amends TCA Title 9, Chapter 4, Part 51. by \*Carr.

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**House Bill No. 3328** -- Local Government, General - As introduced, enacts the "Local Government Transparency Act". - Amends TCA Title 5; Title 6; Title 7 and Title 49. by \*Carr.

**\*House Bill No. 3329** -- Mental Illness - As introduced, requires the state rather than a county to pay for mental health treatment of inmates charged with a misdemeanor. - Amends TCA Title 33. by \*Carr.

**\*House Bill No. 3330** -- Highway Signs - As introduced, names bridge on Greenvale Road in Wilson County in honor of the late Darrell Eugene "Crow" Sloan. by \*Pody.

**\*House Bill No. 3331** -- Appeal and Review - As introduced, enacts the "Tennessee Land Use Review Act." - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 13; Title 27; Title 29 and Title 68. by \*Johnson P.

**House Bill No. 3332** -- Lottery, Scholarships and Programs - As introduced, requires TSAC to develop a short application form for use by students applying for lottery scholarships that are not restricted by income. - Amends TCA Title 49, Chapter 4, Part 9. by \*Dunn.

**House Bill No. 3333** -- Taxes, Exemption and Credits - As introduced, establishes franchise and excise job tax credit for job creation under specified circumstances. - Amends TCA Title 67, Chapter 4 and Title 67, Chapter 6. by \*Fitzhugh.

**House Bill No. 3334** -- Remedies and Special Proceedings - As introduced, removes requirement of separately considering the vicarious liability for noneconomic damages of a defendant and the liability of an agent, employee or representative of the defendant. - Amends TCA Title 29, Chapter 39. by \*Fitzhugh.

**\*House Bill No. 3335** -- Lottery, Scholarships and Programs - As introduced, deletes obsolete references within state lottery proceeds statute. - Amends TCA Title 49, Chapter 4, Part 9. by \*Brown.

**\*House Bill No. 3336** -- Election Laws - As introduced, removes requirement that voter needs photograph identification prior to voting; restores former requirement that voter present identification for purpose of comparing signature on the application for ballot. - Amends TCA Title 2, Chapter 7, Part 1. by \*Brown, \*Pruitt, \*Miller L.

**\*House Bill No. 3337** -- Teachers, Principals and School Personnel - As introduced, revises outdated provision concerning eligibility for teacher preparation programs and teaching. - Amends TCA Title 49. by \*Brown.

**\*House Bill No. 3338** -- Trusts - As introduced, includes "persons" in definition of "family member" for purposes of determining which family members a private trust can do business with while maintaining exemptions from the Banking Act. - Amends TCA Title 45, Chapter 2, Part 20. by \*Faison.

**\*House Bill No. 3339** -- Tennessee Arts Commission - As introduced, requires commission to publish synopsis of report concerning level of participation in the grant program for traditionally underserved and underrepresented artists and art organizations. - Amends TCA Title 4. by \*Miller L.

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**\*House Bill No. 3340** -- Education - As introduced, increases minimum length of kindergarten day to not less than five hours from not less than four hours. - Amends TCA Title 49, Chapter 6. by \*Miller L.

**\*House Bill No. 3341** -- Health Care - As introduced, extends the amount of time from 90 to 120 days that owners of newly acquired medical equipment have to register the equipment with the health services and development agency. - Amends TCA Title 68. by \*Miller L.

**\*House Bill No. 3342** -- Children and Youth, Commission on - As introduced, deletes certain obsolete statutory provisions pertaining to the commission. - Amends TCA Title 37, Chapter 3. by \*Miller L.

**\*House Bill No. 3343** -- Mental Health, Dept. of - As introduced, extends the time the department of intellectual and developmental disabilities has to respond to the comments from the public meeting from 35 to 45 days. - Amends TCA Title 4, Chapter 3, Part 16; Title 33; Title 56 and Title 68. by \*Miller L.

**\*House Bill No. 3344** -- Senior Citizens - As introduced, specifies that if a member of the commission on aging and disability misses three consecutive meetings without a good excuse such member will be replaced. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2. by \*Miller L.

**\*House Bill No. 3345** -- Food and Food Products - As introduced, mandates that all employees of food service establishments or retail food stores shall wear disposable sanitary gloves while preparing food. - Amends TCA Title 53. by \*Miller L.

**\*House Bill No. 3346** -- Taxes, Ad Valorem - As introduced, establishes procedure by which taxpayers obtaining appraisals of their property dated after the assessment date of the current tax year may have the appraised value of their property adjusted for the next tax year by the assessor immediately upon presentation of the appraisal, if the assessor finds the appraisal to be sufficient evidence of value. - Amends TCA Title 67, Chapter 5. by \*Miller L.

**\*House Bill No. 3347** -- Tennessee Higher Education Commission - As introduced, requires the THEC to publish its annual report prior to January 15 of each year, instead of February 15. - Amends TCA Title 49. by \*Miller L.

**\*House Bill No. 3348** -- Economic and Community Development, Dept. of - As introduced, requires the department to publish the energy division's annual report on the department web site. - Amends TCA Title 4 and Title 4, Chapter 3, Part 7. by \*Miller L.

**\*House Bill No. 3349** -- Correction, Dept. of - As introduced, clarifies meaning of "arts and crafts" within items to be produced and sold by inmates to include woodworking projects, crafts produced by metalwork, pottery, carvings, sketches, paintings, ornaments, knick-knacks, drawings, sundries, and sculpture. - Amends TCA Title 4, Chapter 6 and Title 41. by \*Miller L.

**\*House Bill No. 3350** -- Lottery, Corporation - As introduced, prohibits an employee of a Tennessee education lottery corporation who leaves the employment of the corporation from representing any vendor or lottery retailer before the corporation for a period of three years, instead of the current two, following termination of employment with the corporation. - Amends TCA Title 4, Chapter 51 and Title 49. by \*Miller L.

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**\*House Bill No. 3351** -- Labor and Workforce Development, Dept. of - As introduced, allows the department no more than 90, instead of 60, days to conduct a show cause hearing for the employer to demonstrate the employer's failure to secure payment of compensation. - Amends TCA Title 4, Chapter 3, Part 14 and Title 50, Chapter 6, Part 4. by \*Miller L.

**\*House Bill No. 3352** -- Financial Institutions, Dept. of - As introduced, decreases the amount of time for the commissioner to report to the governor after the end of a calendar year from 60 to 45 days. - Amends TCA Title 45. by \*Miller L.

**\*House Bill No. 3353** -- General Assembly, Studies - As introduced, creates special joint committee to study casino gambling in Shelby County. by \*Miller L.

**\*House Bill No. 3354** -- Motor Vehicles - As introduced, increases from 10 to 14 years the age of abandoned, immobile or unattended motor vehicles that may be disposed of by demolishers without a title. - Amends TCA Title 55, Chapter 16, Part 1. by \*Miller L.

**\*House Bill No. 3355** -- Motor Vehicles - As introduced, authorizes owners, lienholders and insurers of motor vehicles that have been towed to inspect such vehicles prior to paying any towing and storage fees. - Amends TCA Title 55, Chapter 16. by \*Miller L.

**\*House Bill No. 3356** -- Health, Dept. of - As introduced, requires the department to report to the health and welfare committee of the senate and health and human resources committee of the house by no later than July 15 of each year on the risks of community-associated MRSA infections. - Amends TCA Title 4; Title 63 and Title 68. by \*Miller L.

**\*House Bill No. 3357** -- Human Services, Dept. of - As introduced, requires department to post web site information about assistance to private employers on the implementation of day care services as an employee benefit. - Amends TCA Title 4 and Title 4, Chapter 3, Part 12. by \*Miller L.

**\*House Bill No. 3358** -- Human Resources, Department of - As introduced, adds government operations committees to list of entities to which the department of human resources must submit monthly report of bona fide employee promotions. - Amends TCA Title 4 and Title 8. by \*Miller L.

**\*House Bill No. 3359** -- General Services, Dept. of - As introduced, requires the department to report to the governor and general assembly on the savings derived from the sale of supplies, materials and equipment deemed to be surplus, obsolete or unused. - Amends TCA Title 4 and Title 4, Chapter 3, Part 11. by \*Miller L.

**\*House Bill No. 3360** -- Human Rights Commission - As introduced, extends the amount of time from 30 to 60 days that a complainant may file an application for reconsideration of an order finding no reasonable cause for a discriminatory practice. - Amends TCA Title 4. by \*Miller L.

**\*House Bill No. 3361** -- Safety, Dept. of - As introduced, requires commissioner to periodically update listing of employees authorized to exercise functions of notary public. - Amends TCA Title 4; Title 49, Chapter 1 and Title 55. by \*Miller L.

**House Bill No. 3362** -- Highway Signs - As introduced, designates segment of S.R. 18 as "National Bird Dog Highway.". by \*Rich.

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**House Bill No. 3363** -- Children - As introduced, creates Class E felony of a parent failing to make or knowingly refusing to make all reasonable efforts to report a missing child to appropriate authorities within 24 hours of when the child believed to be missing. - Amends TCA Title 37; Title 38; Title 39 and Title 40. by \*Rich.

**House Bill No. 3364** -- Indigents - As introduced, prohibits defendants who make an appearance bond from being considered indigent for purposes of a court-appointed attorney. - Amends TCA Title 8, Chapter 14; Title 16; Title 37, Chapter 1; Title 39; Title 40 and Title 55, Chapter 10, Part 4. by \*Rich.

**House Bill No. 3365** -- Criminal Offenses - As introduced, creates a Class A misdemeanor for a person to knowingly prevent or interfere with another person's ability to place an emergency call or to request assistance in an emergency, or to recklessly render unusable a telephone that would be used for an emergency call; elevates such offenses to a Class E felony if the person is previously convicted of such offenses. - Amends TCA Title 7; Title 39; Title 40 and Title 65. by \*Rich, \*Lollar.

**\*House Bill No. 3366** -- Business and Commerce - As introduced, requires the board, commission, agency, or other governmental entity to provide electronic notice 45 days in advance of meetings to licensees after receiving the email address of the licensee. - Amends TCA Title 62 and Title 63. by \*Rich.

**House Bill No. 3367** -- Sentencing - As introduced, increases from 85 percent to 100 percent the percentage of the sentence imposed that a person convicted of certain specified offenses must serve before being eligible for release. - Amends TCA Title 40, Chapter 35, Part 5. by \*Rich.

**House Bill No. 3368** -- Criminal Offenses - As introduced, specifies that painting and striping motor vehicle to appear to be a law enforcement vehicle, when it is not in-fact a law enforcement vehicle, with intent to cause another to believe the vehicle is a law enforcement vehicle constitutes Class A misdemeanor offense of criminal impersonation. - Amends TCA Section 8-10-120; Section 8-8-219; Title 38; Title 39 and Title 55. by \*Rich.

**\*House Bill No. 3369** -- Judicial Officers - As introduced, creates office of solicitor general appointed by the general assembly to defend and prosecute cases in the interest of the state; revises duties of attorney general and reporter. - Amends TCA Title 8. by \*Rich.

**House Bill No. 3370** -- Motor Vehicles - As introduced, authorizes the department of safety to charge for copies of motor vehicle records under the Uniform Motor Vehicles Records Disclosure Act. - Amends TCA Title 55, Chapter 25. by \*Johnson P.

**House Bill No. 3371** -- Business and Commerce - As introduced, decreases time a scrap jewelry and metal dealer has to hold items from 30 days from date of purchase to 20 days from date of purchase. - Amends TCA Title 38, Chapter 1, Part 2. by \*Carr.

**\*House Bill No. 3372** -- Workers Compensation - As introduced, extends time period for advisory council on workers' compensation to provide specified information to the general assembly from 10 days to 14 days. - Amends TCA Title 29; Title 50, Chapter 6 and Title 56. by \*White.

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**House Bill No. 3373** -- Highway Signs - As introduced, designates segment of S.R. 385 in Shelby and Fayette counties as "Governor Winfield Dunn Parkway." by \*Rich.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 2859** -- Judicial Officers -- House Judiciary Committee

**\*House Bill No. 2860** -- Law Enforcement -- House State and Local Government Committee

**House Bill No. 2861** -- Lottery, Scholarships and Programs -- House Education Committee

**\*House Bill No. 2862** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 2863** -- Newspapers and Publications -- House Commerce Committee

**\*House Bill No. 2864** -- Education -- House Education Committee

**\*House Bill No. 2865** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 2866** -- Education -- House Education Committee

**House Bill No. 2867** -- Education -- House Education Committee

**\*House Bill No. 2868** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2869** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 2870** -- Highways, Roads and Bridges -- House Transportation Committee

**\*House Bill No. 2871** -- Welfare -- House Health and Human Resources Committee

**\*House Bill No. 2872** -- Appropriations -- House Finance, Ways and Means Committee

**House Bill No. 2873** -- Education -- House Education Committee

**\*House Bill No. 2874** -- Alcoholic Beverages -- House State and Local Government Committee

**House Bill No. 2875** -- County Boundaries -- House State and Local Government Committee

**\*House Bill No. 2876** -- General Assembly -- House State and Local Government Committee



**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**\*House Bill No. 2877** -- Eminent Domain -- House State and Local Government Committee

**\*House Bill No. 2878** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 2879** -- Parks, Natural Areas Preservation -- House Conservation and Environment Committee

**\*House Bill No. 2880** -- Highways, Roads and Bridges -- House Transportation Committee

**\*House Bill No. 2881** -- Insurance, Health, Accident -- House Commerce Committee

**\*House Bill No. 2882** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2883** -- Local Education Agencies -- House Education Committee

**\*House Bill No. 2884** -- Funeral Directors and Embalmers -- House Commerce Committee

**\*House Bill No. 2885** -- Campaigns and Campaign Finance -- House State and Local Government Committee

**\*House Bill No. 2886** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 2887** -- Homestead Exemptions -- House Judiciary Committee

**\*House Bill No. 2888** -- Liens -- House Judiciary Committee

**House Bill No. 2889** -- Taxes, Exemption and Credits -- House Commerce Committee

**House Bill No. 2890** -- Drug and Alcohol Rehabilitation -- House Judiciary Committee

**House Bill No. 2891** -- Financial Responsibility Law -- House Judiciary Committee

**\*House Bill No. 2892** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 2893** -- Children's Services, Dept. of -- House Children and Family Affairs Committee

**\*House Bill No. 2894** -- Children -- House Children and Family Affairs Committee

**\*House Bill No. 2895** -- Children -- House Children and Family Affairs Committee

**House Bill No. 2896** -- Human Rights -- House State and Local Government Committee

**\*House Bill No. 2897** -- Adoption -- House Children and Family Affairs Committee

**\*House Bill No. 2898** -- Child Abuse -- House Children and Family Affairs Committee

**\*House Bill No. 2899** -- TennCare -- House Health and Human Resources Committee

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**\*House Bill No. 2900** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 2901** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2902** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2903** -- Alcoholic Beverages -- House State and Local Government  
Committee

**\*House Bill No. 2904** -- Sentencing -- House Judiciary Committee

**\*House Bill No. 2905** -- Taxes, Income -- House Finance, Ways and Means Committee

**House Bill No. 2906** -- Pensions and Retirement Benefits -- House State and Local  
Government Committee

**House Bill No. 2907** -- Pensions and Retirement Benefits -- House State and Local  
Government Committee

**\*House Bill No. 2909** -- Physicians and Surgeons -- House Health and Human  
Resources Committee

**\*House Bill No. 2910** -- Teachers, Principals and School Personnel -- House Education  
Committee

**House Bill No. 2911** -- State Government -- House State and Local Government  
Committee

**\*House Bill No. 2912** -- Taxes, Sales -- House State and Local Government Committee

**\*House Bill No. 2913** -- Landlord and Tenant -- House Commerce Committee

**\*House Bill No. 2914** -- Pensions and Retirement Benefits -- House State and Local  
Government Committee

**House Bill No. 2915** -- Consumer Protection -- House Commerce Committee

**\*House Bill No. 2916** -- Hospitals and Health Care Facilities -- House Commerce  
Committee

**House Bill No. 2917** -- Correction, Dept. of -- House State and Local Government  
Committee

**\*House Bill No. 2918** -- Taxes, Exemption and Credits -- House Finance, Ways and  
Means Committee

**House Bill No. 2919** -- Taxes, Ad Valorem -- House State and Local Government  
Committee

**House Bill No. 2920** -- Taxes, Ad Valorem -- House State and Local Government  
Committee

**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**\*House Bill No. 2921** -- Local Government, General -- House State and Local Government Committee

**\*House Bill No. 2922** -- Beer -- House State and Local Government Committee

**\*House Bill No. 2923** -- Tobacco, Tobacco Products -- House Agriculture Committee

**\*House Bill No. 2924** -- Labor -- House Consumer and Employee Affairs Committee

**\*House Bill No. 2925** -- Controlled Substances -- House Health and Human Resources Committee

**\*House Bill No. 2926** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2927** -- Short Term Loans and Lenders -- House Commerce Committee

**\*House Bill No. 2928** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**\*House Bill No. 2929** -- Highway Signs -- House Transportation Committee

**House Bill No. 2930** -- Homestead Exemptions -- House Judiciary Committee

**\*House Bill No. 2931** -- Advertising -- House Transportation Committee

**\*House Bill No. 2932** -- Education -- House Education Committee

**\*House Bill No. 2933** -- Traffic Safety -- House Transportation Committee

**House Bill No. 2934** -- Conservation -- House State and Local Government Committee

**House Bill No. 2935** -- Judges and Chancellors -- House Judiciary Committee

**House Bill No. 2936** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 2937** -- Banks and Financial Institutions -- House Commerce Committee

**House Bill No. 2938** -- Economic and Community Development -- House Commerce Committee

**\*House Bill No. 2939** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 2940** -- Campaigns and Campaign Finance -- House State and Local Government Committee

**House Bill No. 2941** -- Campaigns and Campaign Finance -- House State and Local Government Committee

**House Bill No. 2942** -- Civil Procedure -- House Judiciary Committee

**House Bill No. 2943** -- Education -- House Education Committee

**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**House Bill No. 2944** -- Lottery, Scholarships and Programs -- House Education Committee

**House Bill No. 2945** -- Taxes, Sales -- House Finance, Ways and Means Committee

**House Bill No. 2946** -- Traffic Safety -- House Transportation Committee

**\*House Bill No. 2947** -- Cemeteries -- House Commerce Committee

**House Bill No. 2948** -- Indigents -- House Judiciary Committee

**House Bill No. 2949** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**\*House Bill No. 2950** -- Probation and Parole -- House State and Local Government Committee

**\*House Bill No. 2951** -- Mental Health, Dept. of -- House Health and Human Resources Committee

**\*House Bill No. 2952** -- Education -- House Education Committee

**\*House Bill No. 2953** -- Education -- House Education Committee

**\*House Bill No. 2954** -- Local Education Agencies -- House Education Committee

**\*House Bill No. 2955** -- Local Education Agencies -- House Education Committee

**\*House Bill No. 2956** -- Local Education Agencies -- House Education Committee

**House Bill No. 2957** -- Health Care -- House Health and Human Resources Committee

**\*House Bill No. 2958** -- Criminal Procedure -- House State and Local Government Committee

**\*House Bill No. 2959** -- Taxes, Hotel Motel -- House State and Local Government Committee

**\*House Bill No. 2960** -- TennCare -- House Health and Human Resources Committee

**\*House Bill No. 2961** -- Education, Higher -- House Education Committee

**\*House Bill No. 2962** -- Criminal Procedure -- House Judiciary Committee

**House Bill No. 2963** -- Tennessee Higher Education Commission -- House Education Committee

**\*House Bill No. 2964** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 2965** -- Evidence -- House Judiciary Committee

**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**\*House Bill No. 2966** -- Courts, General Sessions -- House Judiciary Committee

**\*House Bill No. 2967** -- Taxes, Ad Valorem -- House State and Local Government Committee

**\*House Bill No. 2968** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**\*House Bill No. 2969** -- Welfare -- House Health and Human Resources Committee

**\*House Bill No. 2970** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**House Bill No. 2971** -- Criminal Offenses -- House Agriculture Committee

**House Bill No. 2972** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

**\*House Bill No. 2973** -- Telecommunications -- House Commerce Committee

**\*House Bill No. 2974** -- Housing -- House Commerce Committee

**\*House Bill No. 2975** -- Taxes, Exemption and Credits -- House Commerce Committee

**House Bill No. 2976** -- Gas, Petroleum Products, Volatile Oils -- House Judiciary Committee

**\*House Bill No. 2977** -- Conservation -- House Conservation and Environment Committee

**House Bill No. 2978** -- Judges and Chancellors -- House Judiciary Committee

**House Bill No. 2979** -- Malpractice -- House Judiciary Committee

**House Bill No. 2980** -- Civil Procedure -- House Judiciary Committee

**House Bill No. 2981** -- Damages -- House Judiciary Committee

**House Bill No. 2982** -- Judgments -- House Judiciary Committee

**House Bill No. 2983** -- Tort Liability and Reform -- House Judiciary Committee

**House Bill No. 2984** -- Courts, Juvenile -- House Children and Family Affairs Committee

**\*House Bill No. 2985** -- Alcoholic Beverages -- House State and Local Government Committee

**\*House Bill No. 2986** -- Law Enforcement -- House State and Local Government Committee

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**\*House Bill No. 2987** -- Alcoholic Beverages -- House State and Local Government Committee

**\*House Bill No. 2988** -- Alcoholic Beverages -- House State and Local Government Committee

**\*House Bill No. 2989** -- Zoning -- House State and Local Government Committee

**\*House Bill No. 2990** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 2991** -- Child Custody and Support -- House Children and Family Affairs Committee

**\*House Bill No. 2992** -- Domestic Violence -- House Children and Family Affairs Committee

**\*House Bill No. 2993** -- Traffic Safety -- House Transportation Committee

**\*House Bill No. 2994** -- Education -- House Education Committee

**\*House Bill No. 2995** -- Unemployment Compensation -- House Consumer and Employee Affairs Committee

**\*House Bill No. 2996** -- Real Property -- House State and Local Government Committee

**\*House Bill No. 2997** -- Unemployment Compensation -- House Consumer and Employee Affairs Committee

**\*House Bill No. 2998** -- Traffic Safety -- House Transportation Committee

**\*House Bill No. 2999** -- Basic Education Program (BEP) -- House Education Committee

**\*House Bill No. 3000** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 3001** -- Education -- House Education Committee

**House Bill No. 3002** -- Local Education Agencies -- House Education Committee

**\*House Bill No. 3003** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

**\*House Bill No. 3004** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 3005** -- Marriage -- House Judiciary Committee

**\*House Bill No. 3006** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 3007** -- Highways, Roads and Bridges -- House Transportation Committee

**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**\*House Bill No. 3008** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 3009** -- Naming and Designating -- House State and Local Government Committee

**\*House Bill No. 3010** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 3011** -- Alcoholic Beverage Commission -- House State and Local Government Committee

**\*House Bill No. 3012** -- Alcoholic Beverages -- House State and Local Government Committee

**\*House Bill No. 3013** -- Alcoholic Beverages -- House State and Local Government Committee

**\*House Bill No. 3014** -- Environment and Conservation, Department of -- House Conservation and Environment Committee

**House Bill No. 3015** -- Historical Sites and Preservation -- House State and Local Government Committee

**House Bill No. 3016** -- Health Care -- House Health and Human Resources Committee

**\*House Bill No. 3017** -- Schools, Charter -- House Education Committee

**\*House Bill No. 3018** -- Tennessee Higher Education Commission -- House Education Committee

**\*House Bill No. 3019** -- Special License Plates -- House Transportation Committee

**\*House Bill No. 3020** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**\*House Bill No. 3021** -- Utilities, Utility Districts -- House State and Local Government Committee

**\*House Bill No. 3022** -- Driver Licenses -- House Education Committee

**\*House Bill No. 3023** -- Motor Vehicles -- House Transportation Committee

**House Bill No. 3024** -- Taxes, Gasoline, Petroleum Products -- House Commerce Committee

**\*House Bill No. 3025** -- Ethics -- House State and Local Government Committee

**House Bill No. 3026** -- Special License Plates -- House Transportation Committee

**\*House Bill No. 3027** -- Mental Illness -- House State and Local Government Committee

**\*House Bill No. 3028** -- Criminal Offenses -- House Judiciary Committee

**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**House Bill No. 3029** -- Recycling -- House Conservation and Environment Committee

**\*House Bill No. 3030** -- Public Works Projects -- House State and Local Government Committee

**\*House Bill No. 3031** -- Motor Vehicles -- House Commerce Committee

**\*House Bill No. 3032** -- Child Custody and Support -- House Education Committee

**\*House Bill No. 3033** -- Courts, Juvenile -- House Judiciary Committee

**\*House Bill No. 3034** -- Civil Procedure -- House Judiciary Committee

**House Bill No. 3035** -- Election Laws -- House State and Local Government Committee

**House Bill No. 3036** -- Real Property -- House Commerce Committee

**House Bill No. 3037** -- Education, Higher -- House Education Committee

**\*House Bill No. 3038** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 3039** -- Alcoholic Beverages -- House State and Local Government Committee

**\*House Bill No. 3040** -- Planning, Public -- House State and Local Government Committee

**\*House Bill No. 3041** -- Municipal Government -- House State and Local Government Committee

**\*House Bill No. 3042** -- Planning, Public -- House State and Local Government Committee

**\*House Bill No. 3043** -- Zoning -- House State and Local Government Committee

**\*House Bill No. 3044** -- County Government -- House State and Local Government Committee

**\*House Bill No. 3045** -- Banks and Financial Institutions -- House Commerce Committee

**House Bill No. 3046** -- Revenue, Dept. of -- House Conservation and Environment Committee

**\*House Bill No. 3047** -- Parks, Natural Areas Preservation -- House Conservation and Environment Committee

**House Bill No. 3048** -- Coon Dog Laws -- House Conservation and Environment Committee



**THURSDAY, JANUARY 26, 2012 -- FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
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**\*House Bill No. 3049** -- Teachers, Principals and School Personnel -- House Education Committee

**\*House Bill No. 3050** -- Special License Plates -- House Transportation Committee

**House Bill No. 3051** -- Clerks, Court -- House State and Local Government Committee

**House Bill No. 3052** -- Taxes, Inheritance Gift -- House Finance, Ways and Means Committee

**House Bill No. 3053** -- Radio and Television -- House State and Local Government Committee

**\*House Bill No. 3054** -- Taxes, Sales -- House Finance, Ways and Means Committee

**House Bill No. 3055** -- Courts, Circuit -- House Judiciary Committee

**House Bill No. 3056** -- Victims' Rights -- House Judiciary Committee

**\*House Bill No. 3057** -- Railroads -- House Transportation Committee

**\*House Bill No. 3058** -- Health Care -- House Health and Human Resources Committee

**House Bill No. 3059** -- Teachers, Principals and School Personnel -- House Education Committee

**\*House Bill No. 3060** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

**\*House Bill No. 3061** -- Annexation -- House State and Local Government Committee

**\*House Bill No. 3062** -- Education -- House Education Committee

**House Bill No. 3063** -- Lottery, Corporation -- House State and Local Government Committee

**House Bill No. 3064** -- Taxes, Privilege -- House Conservation and Environment Committee

**House Bill No. 3065** -- Public Contracts -- House State and Local Government Committee

**\*House Bill No. 3066** -- Traffic Safety -- House Transportation Committee

**\*House Bill No. 3067** -- Election Laws -- House State and Local Government Committee

**\*House Bill No. 3068** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 3069** -- Courts, Juvenile -- House Judiciary Committee

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3070** -- Children -- House Judiciary Committee

**\*House Bill No. 3071** -- Children -- House Children and Family Affairs Committee

**House Bill No. 3072** -- Mental Illness -- House Judiciary Committee

**\*House Bill No. 3073** -- Health Care -- House Health and Human Resources Committee

**\*House Bill No. 3074** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 3075** -- Intellectual & Developmental Disabilities -- House Health and Human Resources Committee

**\*House Bill No. 3076** -- Water Pollution -- House Conservation and Environment Committee

**\*House Bill No. 3077** -- Water Pollution -- House Conservation and Environment Committee

**\*House Bill No. 3078** -- Education -- House Education Committee

**\*House Bill No. 3079** -- CoverTN -- House Commerce Committee

**\*House Bill No. 3080** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 3081** -- Taxes -- House Government Operations Committee

**CONSENT CALENDAR**

**House Joint Resolution No. 593** -- Memorials, Recognition - Northeast Middle School, International Technology and Engineering Educators Association's Program Excellence Award. by \*Pitts.

**House Joint Resolution No. 594** -- Memorials, Professional Achievement - Jack Price, 2011 Outstanding New Member Award by Tennessee Association of Assessing Officers. by \*Harrison.

**House Joint Resolution No. 598** -- Memorials, Death - Joseph Robert "J.R." Jones. by \*Ford .

**House Joint Resolution No. 601** -- Memorials, Public Service - Bill Jim Davis. by \*Naifeh.

**House Joint Resolution No. 603** -- Memorials, Retirement - Brian Smith. by \*Brooks K, \*Watson.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 98  
Noes ..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 740** -- Licenses - As introduced, requires licenses issued by the department of commerce and insurance and licenses required to work as athlete agents, lobbyists, and K-12 public school teachers to be denied, suspended, or revoked, if student loans are not paid. - Amends TCA Title 3; Title 49 and Title 56. by \*Sargent, \*Montgomery. (\*SB551 by \*McNally)

Further consideration of House Bill No. 740 previously considered on May 19, 2011, May 20, 2011 and May 21, 2011, at which time it was reset for today's Calendar.

Rep. Sargent moved that House Bill No. 740 be reset for the Regular Calendar on February 2, 2012, which motion prevailed.

**UNFINISHED BUSINESS**

**BILLS WITHDRAWN**

On motion of Rep. Eldridge, **House Bill No. 1300** was recalled from the Conservation and Environment Committee and withdrawn from the House.

On motion of Rep. Dunn, **House Bill No. 230** was recalled from the Health and Human Resources Committee and withdrawn from the House.

On motion of Rep. Dunn, **House Bill No. 387** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Dunn, **House Bill No. 540** was recalled from the Transportation Committee and withdrawn from the House.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

On motion of Rep. Dunn, **House Bill No. 959** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Pruitt, **House Bill No. 2912** was recalled from the State and Local Government Committee withdrawn from the House.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 202** Rep(s). K. Williams as prime sponsor(s).

**House Bill No. 2171** Rep(s). C. Johnson as prime sponsor(s).

**House Bill No. 2346** Rep(s). H. Brooks as prime sponsor(s).

**House Bill No. 2385** Rep(s). Marsh as prime sponsor(s).

**House Bill No. 2391** Rep(s). Matheny as prime sponsor(s).

**House Bill No. 2430** Rep(s). Sargent as prime sponsor(s).

**House Bill No. 2483** Rep(s). K. Brooks as prime sponsor(s).

**House Bill No. 2661** Rep(s). Tidwell, J. DeBerry, Casada, K. Brooks, Keisling, McDaniel, Watson, Weaver, Niceley, Cobb, Hall, Hensley and Harrison as prime sponsor(s).

**House Bill No. 2662** Reps(s). Tidwell, J. DeBerry, Casada, K. Brooks, Keisling, McDaniel, Watson, Weaver, Niceley, Cobb, Hall, Hensley and Harrison as prime sponsor(s).

**House Bill No. 3007** Rep(s). Forgety as prime sponsor(s).

**House Bill No. 3389** Rep(s). Harrison as first prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Sargent was/were removed as sponsor(s) of **House Bill No. 3389**.

**MESSAGE FROM THE SENATE  
January 26, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512 and 514; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
January 26, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512 and 514.

**MESSAGE FROM THE SENATE  
January 26, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2153; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
January 26, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 574; amended and concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR  
January 26, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 556, 558, 560, 562, 569, 571, 572, 573, 575, 578, 583 and 584; with his approval.

HERBERT H. SLATERY III, Legal Counsel to the Governor

**MESSAGE FROM THE GOVERNOR  
January 26, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1555 and 1558; with his approval.

HERBERT H. SLATERY III, Legal Counsel to the Governor

**ENGROSSED BILLS  
January 26, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 593, 594, 598, 600, 601 and 603.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
January 26, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 208; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
January 26, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 208; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS  
January 26, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2153; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell – 97

**PRESENT IN CHAMBER**

Representative(s) Harmon was/were recorded as being present in the Chamber.

**RECESS MOTION**

3865

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**THURSDAY, JANUARY 26, 2012 – FORTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL  
VERSION**

On motion of Rep. McCormick, and pursuant to Senate Joint Resolution No. 529, the House stood in a brief recess prior to joining the Senate in Joint Convention for the purpose of hearing Mr. Drew Rawlins of the Tennessee Bureau of Ethics and Campaign Finance for the purpose of fulfilling the ethics course requirement, at the conclusion of which the House stood in recess until 5:00 p.m., Monday, January 30, 2012.

IN JOINT CONVENTION

ETHICS COURSE REQUIREMENT

The hour having arrived, set by Senate Joint Resolution No. 529, the House and Senate met in Joint Convention for the purpose of completing the Ethics Course requirement.

Mr. President Ramsey called the Joint Convention to order at 9:30 a.m.

President Ramsey directed the Clerks of the respective bodies to call the roll as follows:

The Clerk of the Senate called the roll of the Senate with the following results:

Present..... 33

The Clerk of the House took the roll with the following results:

Present..... 98

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative L. DeBerry;

RECOGNITION IN THE WELL

Senator Norris introduced Mr. Drew Rawlins, Executive Director of the Tennessee Bureau of Ethics and Campaign Finance, in the Well for the presentation of the ethics course.

MOTION TO ADJOURN

At the conclusion of the presentation, Representative McCormick moved that the Joint Convention stand adjourned.

Without objection, Madam President Harwell declared the Joint Convention dissolved.

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